



VALSTS ROBEŽSARDZES KOLEDŽA
RĒZEKNES TEHNOLOĢIJU AKADĒMIJA

X Starptautiskā zinātniski praktiskā konference
ROBEŽU DROŠĪBA UN PĀRVALDĪBA
IEKŠĒJĀS DROŠĪBAS UN CIVILĀS AIZSARDZĪBAS ZINĀTNISKAIS
ŽURNĀLS

STATE BORDER GUARD COLLEGE
REZEKNE ACADEMY OF TECHNOLOGIES

Xth International scientific and practical conference
BORDER SECURITY AND MANAGEMENT
SCIENTIFIC JOURNAL OF INTERNAL SECURITY AND CIVIL DEFENCE

No 5 (10)

06.11.2024

Scientific Journal of Internal Security and Civil Defence: Border security and management No.5(10)

Robežu drošība un pārvaldība. Iekšējās drošības un civilās aizsardzības zinātniskais žurnāls Nr. 5(10)

Rēzekne: Rezekne Academy of Technologies, 2024. p 291.

Recommended for publication by the Scientific Council of the Institute of Business and Social Processes of Faculty of Economics and Management of Rezekne Academy of Technologies on 22 November 2024, Minutes No 1.

Rekomendējusi publicēšanai Rēzeknes Tehnoloģiju akadēmijas Ekonomikas un pārvaldības fakultātes Biznesa un sabiedrības procesu pētniecības institūta zinātņu padome 2024.gada 22.novembrī protokols Nr. 1.

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The papers will be offered for indexing in databases: **EBSCOhost Business Source Corporate Plus, CrossRef, WorldCat, Google Scholar, OpenAire.**

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Print ISSN 2592-849X
Online ISSN 2592-8503

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Foreword

The State Border Guard College, in cooperation with the Rezekne Academy of Technology, has established a good and long-standing tradition of organizing conferences. This year, the 10th conference is being organized. The goal of the conference is to create a platform for experts from different countries to share their views and suggestions on the best ways to ensure border security and efficient border guard management.

Xth International scientific and practical conference BORDER SECURITY AND MANAGEMENT this year is organized in a new format as researchers presentations and experts and scientists discussion.

We have invited scientists from different countries, such as Latvia, Lithuania, Spain, Turkey, Ukraine, Netherlands, Romania, Norway to be part of the Scientific organizing committee of the conference. Latvian and foreign scientists, academic staff, as well as the State Border Guard officials participate in the conference and present their research.

Border security and its effective management are particularly relevant today in the context of the war in Ukraine and the need to strengthen the external border of Europe in the East. The problems and challenges related to border security are in the field of scientists. Therefore, it is important to analyze and seek common solutions to current issues related to the future challenges and opportunities of immigration, integrated border management, cooperation in the field of border security and management, information technologies in border security and management, information circulation and data security, promotion of border guard education, ethical and psychological aspects in border management. The collected studies reflect the problems and challenges related to the organization and management of the work of the Border Guard. The approaches and ideas proposed by the authors are a significant contribution to the development of the sector while ensuring that border security and management is an important subject of research.

The editorial board hopes that the International Scientific and Practical Conference BORDER SECURITY AND MANAGEMENT and the Journal of Internal Security and Civil Protection Sciences: Border Security and Management will become more and more recognizable every year and will make a significant contribution to the development of the industry. On behalf of the editorial board, I would like to thank the authors of the articles, reviewers, cooperation partners, as well as the conference organizing committee, especially the colleagues of the State Border Guard College and

the Rezekne Academy of Technologies for their contribution to the organization of the conference and the creation of the journal.

Dr.oec. professor Iluta Arbidāne
Chief Editor of the Journal

THE MANAGEMENT OF THE MILITARIZATION PROCESS IN THE STATE BORDER GUARD

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Abstract. *This article is dedicated to the study of the management of militarization processes in the State Border Guard of the Republic of Latvia. The aim of the article is to investigate the significance of the militarization process and its management within the State Border Guard. To achieve this aim, the authors have set the following tasks: to explore the definition of the militarization process and the rationale for its implementation in the State Border Guard; to examine the management of the militarization process in the State Border Guard from the perspectives of provision, training, and cooperation. To accomplish these tasks, the following research methods were employed: monographic research method, analytical and semantic research methods, a personnel survey, and interviews with senior officials. The work consists of two chapters, where the first chapter provides an insight into the definition and justification of the militarization process, and the second chapter analyzes the aspects of managing this process in the State Border Guard.*

Keywords: *border guard, geopolitics, management, militarization, security.*

Introduction

Throughout its development, humanity has developed and utilized its military potential countless times. Stephen Peter Rosen acknowledges that the history of human evolution has influenced our modes of information perception and decision-making in such a way that human choices in a given situation can extend far beyond predictable and rational behavior standards (Rosen, 2009). Such irrational decision-making has often led to wars between nations and even alliances of states. To deter aggressive state leaders, even those nations inclined towards peace must develop their military potential, or take steps toward militarization in their armed forces, law enforcement agencies, and civil society.

This study addresses the exploration of the militarization process globally and in Latvia, focusing on its justification, definition, and legal regulation. The authors analyze the militarization processes occurring within the State Border Guard from the perspectives of provision, training, and cooperation, as well as providing insights into the monitoring and control of this process.



The objective of the study is to examine the management of the militarization process within the State Border Guard. To achieve this goal, the following tasks were set: to investigate the definition and justification of the militarization process and to examine the aspects of managing this process within the State Border Guard. The following research methods were employed to accomplish these tasks: the monographic research method was utilized to explore the insights of experts in the field on the subject matter. To conduct the study on the justification of militarization processes in Latvia, the author employed analytical and semantic research methods.

For the study of the management and implementation of the militarization process within the State Border Guard, the author used a survey of State Border Guard personnel and interviews with senior officials. Additionally, to draw conclusions and propose recommendations, the author applied the logical-constructive research method. The study covers the period from 2012 to 2024.

1. Definition and substantiation of the militarization process

When conducting research on any process, including militarization, it is crucial to define its significance, or in other words, to establish the concept of militarization. The authors of this article believe that by defining militarization, the reader will find it easier to understand the essence of the study going forward.

The comprehensive explanatory and synonym online dictionary “Tezaurs,” developed by the University of Latvia, provides two definitions of the militarization process:

1. The subordination of a state’s economy, politics, and public life to the objectives of war, the establishment of a war economy during peacetime; the introduction of military organizational forms and methods, for example, in certain economic sectors.
2. The construction of military facilities, the deployment of armaments and troops in a given territory (tezaurs.lv, 2024)

Analyzing the first of the aforementioned definitions, it is evident that the militarization process pertains to wartime or the adaptation of peacetime conditions to warfare. The second definition relates to the construction of military infrastructure and the provision of armaments to existing or newly established military units. Clearly, it cannot be stated that Latvia’s economy, politics, or society is currently fully subjected to militarization processes; moreover, during peacetime, such a trend would likely be viewed negatively by the country’s population. However, it should be noted that following elements of militarization are observable in our country.

Firstly, the deployment of NATO's Enhanced Forward Presence battle group that began its operations on Latvian territory in 2017, and its numerical composition has gradually increased—currently reaching 1,900 soldiers, with the strengthening process expected to continue until 2026 (Defence Ministry of Latvia, 2023). Secondly, an element of economic militarization can be seen in the commencement of armoured vehicle assembly in Latvia. In 2022, a “Patria” armoured vehicle assembly plant was launched in Cēsis, where armoured personnel carriers for the Latvian National Armed Forces are assembled using parts from Finland (National Armed forces of Latvia, 2021). Thirdly, the initiation of the construction of defensive positions in Latvia, Lithuania, and Estonia, near the border with the Russian Federation. This concerns the establishment of the so-called Baltic Defence Line, which will include fortified defensive positions and various types of anti-mobility engineering obstacles along the borders with the Russian Federation and the Republic of Belarus, thereby deterring and blocking any threats of military aggression from neighbouring countries (National Armed forces of Latvia, 2024).

To more objectively evaluate the definition of the militarization process, the authors of this work propose considering the concepts offered by the Cambridge Online Dictionary:

1. The process of introducing military forces into a specific area.
2. The process by which police forces are transformed into those resembling military forces, for example, by arming them with military weapons (Cambridge Dictionary, 2024).

As evident from the first definition, the Cambridge Online Dictionary explains the militarization process in a manner similar to the previously analysed definition provided by the University of Latvia. Within the framework of this article, it is crucial to consider the second definition offered by the Cambridge Online Dictionary. Although the State Border Guard, which is the focus of this study, is an armed institution, its functions and tasks are more characteristic of policing (State border guard law, 2020). Thus, the introduction of military armaments and individual equipment, as well as military-style training within the State Border Guard, undoubtedly aligns with the definition of the militarization process (State border guard, 2019).

It should be noted that such a militarization process within a law enforcement agency is not unique to Latvia. An example of this can be found in Peter B. Kraska's article, "Militarization and Policing – Its Relevance to 21st Century Police." In this article, the author analyses the arming of police formations according to military standards. The author estimates that in the 21st century, there is a growing trend where the distinction between law

enforcement agencies and armed forces is becoming increasingly blurred (Kraska, 2007).

Overall, it is evident that the definitions of militarization analysed from these two different sources correspond to certain processes in Latvia: our country is strengthening its armed forces, developing military infrastructure and production, hosting allied military forces, and aligning existing security agencies with military standards.

In addition to defining militarization, it is essential to assess the justification of ongoing militarization processes in Latvia. In general, the justification for militarization can be explained either by the desire of some states to gain advantage through the initiation of military conflict or by the desire of other states to defend themselves. Regarding the justification of the militarization process in our country as a whole, and specifically within the State Border Guard, it is imperative to examine the current international situation that triggered the initiation of this process not only within the Border Guard or in our society but also in several European Union member states. The authors of this work unequivocally refer to the events in Ukraine.

In the context of this study, it is important to begin examining the conflict in Ukraine starting from 2013, when the then-President of Ukraine, Viktor Yanukovich, and his government postponed the signing of the Association Agreement with the European Union. Daina Bleiere, in her research, lists the following chain of events triggered by this political decision: mass protests in Maidan Square in Kyiv, the resignation of the Ukrainian government, Viktor Yanukovich's flight to Russia, the covert deployment of Russian military formations in the Crimean Peninsula and the subsequent annexation of the peninsula into the Russian Federation, the commencement of hostilities in the Donetsk and Luhansk regions of Ukraine, the proclamation of so-called "Novorossiia," the downing of the Malaysian passenger plane, the signing of the so-called Minsk agreements to cease active hostilities, and finally, the launch of a full-scale armed invasion by the Russian Federation into Ukraine on February 24, 2022 (Bleiere, 2018).

With the onset of full-scale hostilities, within a month (by March 30, 2022), more than four million Ukrainian civilians had fled their homes, and at least 3,167 people were affected, including 1,232 fatalities (Awuah, 2022). Meanwhile, the United Nations estimates that within a year and a half (as of September 24, 2023), there were 27,449 casualties in this conflict: 9,701 killed and 17,748 wounded (United nations, 2023). In light of the above, it is clear that Ukraine's militarization and its ability to defend against aggression have a significant impact on the security of its society and the protection of its citizens' lives.

When assessing the security situation in Latvia, it is necessary to analyse the National Defence Concept of the Republic of Latvia, a document approved

by the Latvian Parliament (Saeima) that outlines the strategic principles, priorities, and measures for ensuring the country's military defence (National security law, 2019). The authors of this article examine the National Defence Concepts adopted in 2020 and 2023. These documents specifically indicate that the current security situation in Latvia has significantly deteriorated and requires certain steps from society to ensure national defence.

In the National Defence Concept adopted in 2020, the security situation is analysed on both global and regional levels. Global threats are identified as factors such as the fragmentation of the global system, tendencies towards conflict resolution through force, terrorism, climate change, and pandemics. Within the scope of this study, it is particularly relevant to examine the threats posed by the use of military force and terrorism. In this context, the National Defence Concept pays special attention to the role of private military and security companies in contemporary armed conflicts, emphasizing how states pursue political objectives through military means while denying their involvement (National defence concept, 2020). It is crucial to underline that Latvia remains at risk of becoming a victim of such military force exerted by major powers.

Based on the regional security trends outlined in the concept, the Russian Federation perceives itself as encircled by enemies, implying that Latvia, sharing a direct land border, could be regarded as a direct adversary of Russia. This assumption is corroborated by the conclusion included in the National Defence Concept: "Russian state-controlled media deliberately cultivate a negative—Russophobic and Nazi-like—image of Latvia. As a result, public opinion polls indicate that for an extended period, Latvia has been perceived as one of the main enemies of Russia by the Russian public." (National defence concept, 2020). The 2020 National Defence Concept continues to justifiably consider the Russian Federation as the source of threats in the region.

The interaction between Russian state media and military forces in achieving unified political objectives is further confirmed by Sandor Fabian in his article "The Russian Hybrid Warfare Strategy—Neither Russian Nor Strategy" published in the journal *Defence & Security Analysis*. By analysing Russia's actions in Ukraine, it becomes evident that the country employs cyberspace and mass media to support conventional methods of pursuing political ambitions (Fabian, 2019).

Additionally, the use of private military formations, such as the "Wagner Group," in foreign operations also indicates Russia's tendency to pursue its ambitions through military force. As noted by Kimberly Marten in her article "Russia's Use of Semi-State Security Forces: The Case of the Wagner Group" published in the journal *Post-Soviet Affairs*, the Russian Federation has

employed private military companies to achieve its goals in countries such as Nigeria, Ukraine (Crimea and eastern regions), Syria, Sudan, the Central African Republic, and others (Marten, 2019). As this example demonstrates, the use of mercenaries knows no borders—their involvement does not establish a direct connection with the hiring state, allowing it to pursue its objectives through military force. This conclusion significantly impacts Latvia's security situation, as the involvement of private military formations could become a simple tool in Russia's National Security Strategy, thereby achieving its foreign policy objectives and solidifying its "great power" status. This assumption by the author is supported by Elena Pokalova's article "The Wagner Group in Africa: Russia's Quasi-State Agent of Influence" published in the journal *Studies in Conflict & Terrorism*, which directly indicates the use of Wagner Group mercenaries by the Russian government in military operations in Africa to strengthen its position in the political struggle against Western countries (Pokalova, 2023).

Examining the security situation and the changing dynamics of threats in Latvia, the authors of this study also analyse the National Defence Concept adopted on October 5, 2023. In this document, the threats posed by the Russian Federation are explicitly identified. The threats posed by Russia, as outlined in the National Defence Concept, include the influence of propaganda, violations of international treaties, nuclear threats, the transformation of Belarus into a Russian satellite state, and the evolution of Russia's ruling regime into a totalitarian state (National defence concept, 2023).

Regarding the threat of spreading propaganda, the author urges attention to the aspects of information, particularly in the context of the Gerasimov Doctrine (document developed by Russian general Valery Gerasimov, considering inclusion of non-military means and hybrid warfare). In the realm of information warfare, propaganda indeed plays a crucial role. As Robert Mencis describes in his article "The Fragile Power of Empire: The War in Ukraine from a Postcolonial Perspective" in the journal *Akadēmiskā Dzīve*, Russia frequently employs propaganda to justify its imperial ambitions and position itself as a defender rather than a colonizer. Mencis highlights a striking example: when occupied Ukrainian territories were annexed into the Russian Federation, this action was portrayed as a defence against the Western "neocolonial" system, thereby casting Russia as the nation that "rescued" Ukrainian territories from the negative influence of Western countries (Mencis, 2023). Thus, in the collective consciousness, propaganda shapes the image of Russia as the embodiment of a just state, while the war in Ukraine is declared necessary and vital for the protection of good. This type of rhetoric is also applied to Latvia, denigrating the independence of our country. Therefore, the authors of the study believe that

the threat from Russian propaganda, as included in the National Defence Concept, is fully justified and well-argued.

One of the most prominent examples of Russia's disregard for international treaties is the circumvention of the Budapest Memorandum for its interests. The Memorandum on Security Assurances in connection with Ukraine's accession to the Treaty on the Non-Proliferation of nuclear weapons, or the Budapest Memorandum, is a document signed by Ukraine, Russia, the United Kingdom, and the United States, agreeing to provide security assurances to Ukraine in exchange for its commitment to relinquish its nuclear weapons. Among other points, the Memorandum obliges signatory states to respect Ukraine's independence, sovereignty, and borders. The violation of such an international document can have far-reaching negative consequences, affecting not only the respect for Ukraine's borders but also the threat to nuclear non-proliferation. In his article "The Budapest Memorandum and Russia's Intervention in Ukraine," David S. Yost argues that Russia's actions in breaching the Budapest Memorandum threaten the future of nuclear non-proliferation policy globally since the very essence of the Memorandum was aimed at ensuring that Ukraine would relinquish its nuclear weapons at the time. Still, the failure to comply with these requirements sets a precedent and a negative example that security guarantees may not work, and renouncing nuclear weapons could be meaningless (Yost, 2015).

The threats to the Republic of Latvia are not only manifested as the risk of direct military invasion but also through the implementation of hybrid attacks against our country. It is crucial to mention information warfare, which includes propaganda directed against the state of Latvia, as well as the organization of illegal migration flows on the Latvia-Belarus border.

2. The aspects of militarization management in State border guard

Despite the militarized structure of the State Border Guard, its armed status, and its responsibilities in ensuring Latvia's military defence, contemporary trends indicate a gradual intensification of its military character. This study chapter focuses on the manifestations of this process, analysing its practical aspects and providing recommendations for improvement and more effective application.

Within the framework of the study, the authors conducted a survey among the personnel and management of all five border surveillance units under the Daugavpils territorial board of the State Border Guard, allowing respondents to express their views on the militarization process within the

institution. By determining the level of support for militarization among the personnel, the authors believe it is possible to gauge the overall loyalty of border guards to the state, which is undoubtedly a crucial factor in the current political context.

In response to the study's question, "Do you believe that the international security situation necessitates the development of the military sphere in Latvia?", 65.9% of the surveyed personnel from the Daugavpils border surveillance units agree that the international security situation indeed requires the development of the military sphere in Latvia, 25% disagree, and 9.1% have no opinion on the matter. Among the management representatives, 83% agree with the statement, while 16.7% disagree. Research results are depicted in Figure 1.

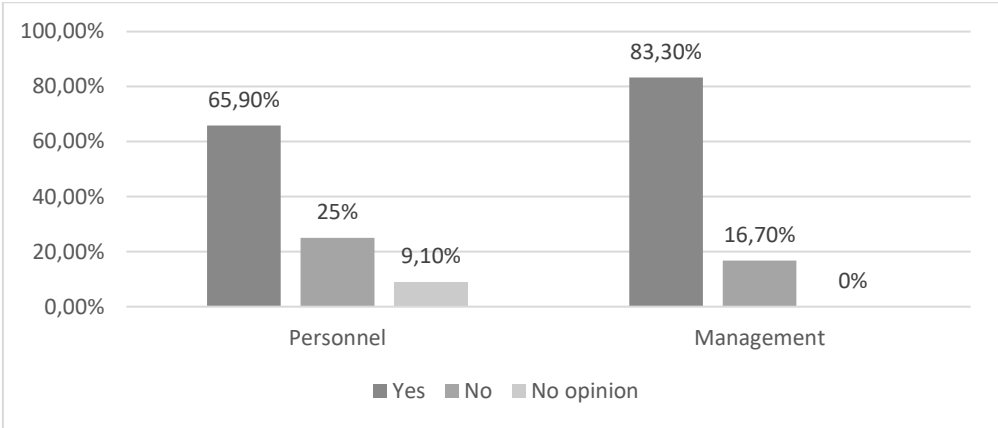


Fig.1 Respondents’ answers on the question “Do you believe that the international security situation necessitates the development of the military sphere in Latvia?” (Created by the authors)

Based on these opinions, the authors conclude that the majority of respondents perceive the security situation in our country realistically. The analysis conducted in the first chapter of this study supports the notion that the international security situation does indeed pose challenges, and the development of the military sphere in Latvia is a necessary step. Less than half of the surveyed personnel do not perceive threats to the overall global security situation or have not formed an opinion on the matter. The authors suggest that such opinions reflect a low level of awareness among the personnel, which, according to the authors, could result in a low motivation to maintain consistent military preparedness—one of the border guards' functions. Therefore, direct supervisors should enhance personnel awareness of political and security issues to address the current situation and improve the media literacy of their subordinates.

Continuing the investigation into broader issues related to militarization, the authors posed the question to respondents: "What is the level of support for the militarization process within the State Border Guard?" According to the survey results, 29.5% of border guard personnel fully support the militarization of the State Border Guard, 22.7% are somewhat supportive, 13.6% have no opinion, 29.5% are somewhat opposed, and the remaining 4.5% completely oppose the institution's militarization. Comparatively, among the surveyed management representatives, 16.7% fully support the militarization, 66.7% are somewhat supportive, and 16.7% are somewhat opposed. Results are depicted in the Figure 2.

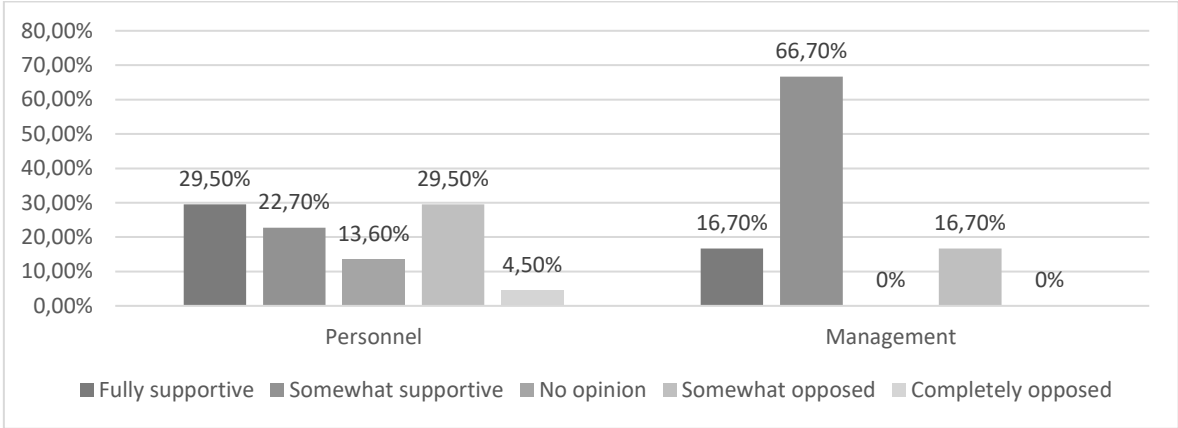


Fig.2 Respondents’ answers on the question “What is the level of support for the militarization process within the State Border Guard?”
 (Created by the authors)

The responses indicate that the majority of personnel, to varying degrees, express support for the ongoing militarization processes within the State Border Guard. A clear correlation can be observed with the responses analysed in the previous question: those who perceive a deterioration in the security situation and the necessity of militarization processes in the country also recognize the need for such processes within the State Border Guard. Unfortunately, nearly half of the surveyed personnel either have not formed a personal opinion on the issue or do not support the militarization process within the institution. In contrast, support among management representatives is notably higher, with only 16.7% somewhat opposing militarization.

The authors suggest that a low level of support for militarization could be an obstacle to strengthening the institution in the context of the current security situation. This viewpoint may be explained by the fact that border guards typically perform duties that do not involve the use of the

aforementioned military equipment, such as patrolling the state border, preventing illegal migration, and controlling compliance with regulations, which require different types of specialized tools and equipment. However, the authors emphasize the importance of returning to the topic addressed in the first survey question: the overall security situation in the world and Latvia, which has recently deteriorated. The reality and the necessity to fulfil the National Defence Concept demand an increase in the military capacity of the border guard. Yet, the perception that this hinders the performance of direct duties once again highlights a low level of awareness among personnel.

To approve current conclusions and to confirm the suggestions, the authors made an interview with the Director of State Border Guard College – colonel Mariks Petrusins. In colonel's opinion the militarization process in the State Border Guard is being performed due to the changes in geopolitical situation thus presenting more threats to the institution and its personnel. In M.Petrusin's opinion, the militarization process is an effective answer to the modern security threats and provide effective deterrence capabilities to possible aggression. Summarising the results of an interview, the authors conclude, that awareness and knowledge of the current situation are key aspects of understanding of ongoing processes in State Border Guard.

Conclusions and suggestions

In conducting the research presented in this article, the authors have thoroughly investigated the militarization process, its significance in the context of contemporary geopolitical conditions, and its manifestation in Latvia, specifically analysing the militarization of the State Border Guard. This analysis includes perspectives from both personnel and senior officials. Upon completing the aforementioned study, the authors have drawn the following conclusions:

1. The full-scale invasion of Ukraine by the Russian Federation on February 24, 2022, and the ensuing warfare, demonstrated that the threat of military conflict in modern Europe is indeed possible. The nature of this war underscores that defence against potential aggression is vitally important, not only from a legal standpoint but also for the protection of civilians, as warfare can extend into populated areas.
2. The analysis of the definition of militarization revealed that this process involves both the strengthening of armed forces and the reorganization of law enforcement agencies according to a military model, the construction of military infrastructure, and the deployment of new military units in specific territories. Militarization processes are employed both to defend a nation's territory and to prepare for

aggression. The authors conclude that militarization can have both positive and negative connotations, depending on the context in which the term is used. Therefore, the concept of militarization is fully applicable in describing the ongoing processes of military enhancement in Latvia.

3. Research data indicate that the majority of surveyed border guards understand the real security challenges facing Latvia and the State Border Guard and support the ongoing militarization processes within the institution. However, it must be acknowledged that a significant portion of the surveyed officials have a low level of awareness regarding the current security situation and exhibit low motivation to perform military duties. Such a situation could pose serious internal threats to the security of the State Border Guard and necessitates specific steps for improvement.

In analysing the aforementioned proposals and summarizing the research findings, the authors of this article make the following recommendations:

1. To improve the justification of militarization processes and the overall understanding of the political situation, it is necessary to enhance media literacy and awareness among the Border Guard personnel in the near future. For instance, the heads of the State Border Guard's territorial units should support the participation of border guards in psychological support courses and initiate their involvement in courses organized by the Media Literacy Centre. This would help raise the current level of loyalty and prevent potential psycho-emotional stress and burnout.
2. To improve personnel attitudes towards the daily use of military equipment and weaponry, the management of border protection units should organize training on the proper use of equipment, as well as appropriately plan assignment operations by introducing more frequent patrols with vehicles to alleviate the physical strain on subordinate personnel.
3. The Chief of the State Border Guard should maintain the ongoing militarization process as a priority task for the institution. This would contribute to the overall enhancement of military capacity in Latvia, thereby ensuring an effective deterrence policy against military threats in the current geopolitical situation.

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CHALLENGES AND PROSPECTS OF THE INVESTIGATOR TRAINING CENTRE OF THE STATE POLICE COLLEGE IN EDUCATING LAW ENFORCEMENT PERSONNEL

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Abstract. *The Article is about the educational challenges and perspectives of the Investigator Training Centre at the State Police College. The objective of this study is to answer the question – does the establishment have the capability to fulfil the task given to it to involve professionals and experts with specialized knowledge in the training process of law enforcement officials, along with developing interdisciplinary cooperation between law enforcement and state security institutions of Latvia? To achieve the objective of the study, a monograph method was used, conclusions and interpretations were drawn from available information and data of the activities of the Investigator Training Centre since its establishment in February 10th, 2022, up until the start of the 3rd quarter of 2024. In order to achieve the objective, the study was researching the understanding of the uniform education system for adults in Latvia, which is based on European Union standards and ethical norms, and align it with the training needs of law enforcement officials. The following conclusion was formed: in order to improve the quality of pre-trial investigations, the Investigator Training Centre shall be able to strengthen the professional knowledge and skills of law enforcement officials through a methodological process of non-formal education standard combined with the specialized knowledge and training materials in the field of law enforcement.*

Keywords: *cooperation, investigator, law enforcement, non-formal education, operative, pre-trial, State Police College, training process.*

Introduction

The Investigator Training Centre (hereinafter – the Centre) carries responsibility to transfer the knowledge of law enforcement professionals for future generations by promoting the improvement of the quality of pre-trial investigation and a common and united understanding regarding the application of the regulatory framework. The purpose of the training Centre is to provide informal and professional improvement education measures for officials of the State Police and other law enforcement institutions, the duties of which include: ensuring pre-trial criminal proceedings in investigations, implementation of the operational activity, providing investigative support - analytical and criminal intelligence activity.

Problems arise in the development of those learning processes which require specific conditions for the implementation of many topics, for



example, the training of operational activities and operational process requires a lecturer with both experience in the service and active admission to state secrets, but combining it with the requirements of non-formal education and training programme documentation is challenging. The development and recording of such documents require the creation of special records, restricted access orders and other specific documentation, which may significantly hinder the implementation of the training process itself.

The study brings up the learning approach and the adequacy of methodology to the skills and technology requirements of modern investigations. During the research process, conducted from June 1st, 2024, till August 1st, 2024, an analysis of the existing procedures, the possibility of uniformity in the application of the legal provisions, was carried out with the Centre, in cooperation with the management of various law enforcement agencies of Latvia, continuously identifying the current training needs and addressing topical issues.

Establishing the Investigator Training Centre

The establishment of the Investigator Training Centre at the State Police College started in April 2021 with the setting up a working group at the initiative of the then Minister of the Interior S. Ģirģens, consisting of representatives of the Ministry of the Interior, the State Police, the State Police College, the State Border Guard College, Riga Stradiņš University, the State Border Guard, the Internal Security Bureau, the Prison Administration, the State Revenue Service, the Corruption Prevention and Combating Bureau, the Military Police of the National Armed Forces, the Prosecutor General's Office, the Financial Intelligence Unit of Latvia and the Trade Union of the Latvian Interior Employees. The conclusion of the working group was unanimous: there is no common training platform and no common understanding in the field of investigations has been developed.

The State Audit Office also stated in its audit report "Effectiveness of Pre-Trial Investigations in the State Police" in October, 2017: "[...] since closing Latvian Police Academy, second-level higher education programmes based on the competencies necessary for investigative work have not been implemented. Such a second-level higher education programme based on the knowledge and skills necessary for a police officer was established only in 2017, and its first graduates are expected in the State Police in 2022."

In December 2020, the State Audit Office completed the performance audit "Effectiveness of Investigation and Trials of the Criminal Offences in the Economic and Financial Area", which was carried out in response to the call of the Cabinet of Ministers to conduct a performance audit (comprehensive study) focusing on criminal proceedings for economic and financial offences

and including recommendations on measures to be taken to address negative factors affecting the effectiveness of the investigation and prosecution of financial and economic crime. The following issues were also prioritised in this plan: to develop a common understanding of the application of the rules of law, eliminating uncertainties as to the essential elements to be proved and the body of evidence required to prove guilt in criminal proceedings; to study and improve the framework of the Criminal Law and the Criminal Procedure Law, developing action mechanisms for identifying those legal provisions which are problematic in practice in addition to making recommendations for remedying shortcomings; to implement measures for ensuring that prosecutors receive qualified technical and advisory support at various stages of criminal proceedings; and other recommendations, the implementation of which will contribute to the effectiveness of work and, in accordance with the results, will increase public confidence in the Latvian judicial system and law enforcement authorities in general.

On 10th of February 2022, the Cabinet of Ministers endorsed the establishment of the consortium “Internal Security Academy”, bringing together the Ministry of the Interior, the State Police College, Riga Stradiņš University and the University of Latvia to achieve these common goals.

It was decided that there is an urgent need for a model of lifelong learning (non-formal education) for investigators and operatives. At several meetings of the working group, the participants elaborated a draft concept “On the improvement of the education system for law enforcement officials” and agreed on joint measures to improve the professional education system in the sector, envisaging not only the improvement of the higher education model, but also the immediate launch of a new and effective non-formal education model – within the framework of priority measures, the establishment of a separate unit, the Investigator Training Centre, which could later be integrated into the structure of the Internal Security Academy.

The given purpose and the chosen mission

The Centre is a structural unit of the State Police College, which is responsible for the performance of the tasks assigned to it within its competence.

In accordance with the Rules of Procedure of the Centre, its task is to organise the implementation of non-formal education activities and the provision of applied research in a qualitative and continuous manner:

- to identify and to compile the topics and applied research needs of the necessary non-formal education activities, as requested by the State Police and other law enforcement authorities, and to develop an implementation plan for the calendar year;

- to organise development, and implementation of said non-formal education programmes;
- by the request of the State Police, to organize the development of methodological teaching tools in the fields of investigative processes as well as operational, analytical and criminal intelligence activities that are providing support in said investitive processes;
- to provide applied research with the aim of introducing innovations in the teaching process and in the work of law enforcement authorities.

It is true that the Centre is not working at full capacity due to understaffing. For the first year since the opening of the Centre, it was manned by a three-people team, then in the second year the team took in additional member, and currently in the third year the Centre has grown to a team of six. The Centre is still looking and waiting for professionals who are enthusiastic about their work, who can carry out their duties with an exceptional attitude of being aware of their role and importance in the overall process, and who can share their professional experience and enthusiasm with others in recruiting for employees of vacant positions. The Centre is currently looking for the Head for the Education Programmes in the field of operational activities, as well as for knowledgeable colleagues that are willing and able to use the resources of Centres' newly created Laboratory of Innovations to research and identify, develop and implement latest solutions and methods.

Innovations and current developments

To find new innovative solutions for improving internal security, both closed and open hackathons are planned to be enacted in the Laboratory of Innovations. The word *hackathon* originates from the English word *hacking*, also known internationally as *hackday* and *hackfest*, and it can be either open or closed. For example, in closed hackathons, participants could bring in experts of the field, include them in the investigation team and jointly investigate cold criminal cases, thus involving trainees, academics and professionals (with specialist knowledge) in the research. The Criminal Procedure Law allows for this, and conducting research is one of the crucial tasks of the Centre. The open hackathon would provide an opportunity to gain knowledge and new ideas, as well as to acquire skills in working with innovative technologies, which would increase the professional competencies of the participants of the hackathon and thus improve quality of the investigations.

The priority of the Centre is to involve professionals and experts in the training process, along with developing interdisciplinary cooperation by bringing in specialists from other fields and disciplines whose knowledge and experience are relevant to the investigation of various criminal offences. It is important to develop a culture of learning as part of the professional

excellence of investigators, operatives and analysts, as by fostering mutual exchange of experience and by passing on knowledge to future generations of professionals, it contributes to improving the quality of investigations and the common understanding amongst law enforcers of the application of the legal framework.

One of the most important objectives of the Centre is to improve the quality of pre-trial investigative and operational activities by ensuring the continuous further training and professional qualification development of investigators, operatives and analysts of the State Police and other law enforcement authorities in accordance with the principle of lifelong learning enshrined in Latvian document planning and regulatory enactments. The duty of the Centre is to ensure identification of the necessary educational activities for ever-advancing qualifications for law enforcement officials, and to ensure administration of the training by attracting and involving seasoned experts and foreign lecturers in the process. The Centre has a dedicated training ground – an apartment and an office, a modern computer classroom and a server room for training of the server removal and retrieval of their data. To successfully implement the training process, the Centre regularly supplements its material and technological base, for example, thanks to successful cooperation with the Cybercrime Combating Department of the State Police, in addition to being informed about the latest trends in combating and investigating cybercrime, the Centre also purchases the appropriate specialised equipment to bring the training process closer to their current technical needs.

With the professional advice and support given from the colleagues of various law enforcement agencies, the staff of the Centre is also constantly developing their own professional qualifications, acquiring latest knowledge, skills and tools necessary to meet the continuously expanding training needs of investigators. One of the most prominent challenges that the Centre had to overcome was the purchase and transferral of cryptocurrency (bitcoins) to a “crypto wallet” for training purposes, so that the lecturers and the trainees had the opportunity to safely use cryptocurrencies in a real-life environment.

In 2023, within the framework of the funding allocated from the "Fund of the Proceeds of Crime from Confiscation" basic budget programme of the Ministry of Justice under the measure “Establishment of a Digital Forensics Research and Innovation Laboratory for the Implementation of Innovative Solutions to increase the Detection Capacity of Economic Crimes”, the Centre purchased the *XRY* and *XRY PRO* mobile forensics and data recovery software suite. The purchase of this solution and its training is a fantastic asset for providing a technical and academic base for law enforcement officials on decryption of encrypted mobile devices. In 2024, several law enforcement agency officials were trained as trainers to conduct training process of other

law enforcement officials in the upcoming years. The first training phase for future trainers took place in Sweden, the second in Latvia at the Centre’s newly equipped training ground. All trainers have obtained the relevant certificates enabling them to train officials in both data retrieval and data processing.

National and international cooperation

In response to changes in the regulatory framework or specific crime outbreaks, the Centre, in cooperation with the management of law enforcement agencies, continuously identifies current training needs and addresses topical issues by organising think tanks, seminars and practical sessions in order to provide training support as quickly as possible. For example, in May of 2024, the Centre, in cooperation with the Latvian National Defence Academy and the Military Police of the National Armed Forces, organised a seminar to discuss and debate the challenges of investigating war crimes based on the Ukrainian experience after the invasion of the Russian Federation. The seminar brought together various experts – academics from higher education institutions, forensic experts, military representatives – from Kharkiv, Ukraine, to implement a successful and professional cooperation between Ukrainian and Latvian institutions and to exchange their theoretical and practical experience. The topics discussed were related to the structural changes in Ukrainian law enforcement authorities and the difficulties associated with the specifics of investigating criminal offences in direct war zones, with particular emphasis on the specifics of documenting and investigating war crimes.

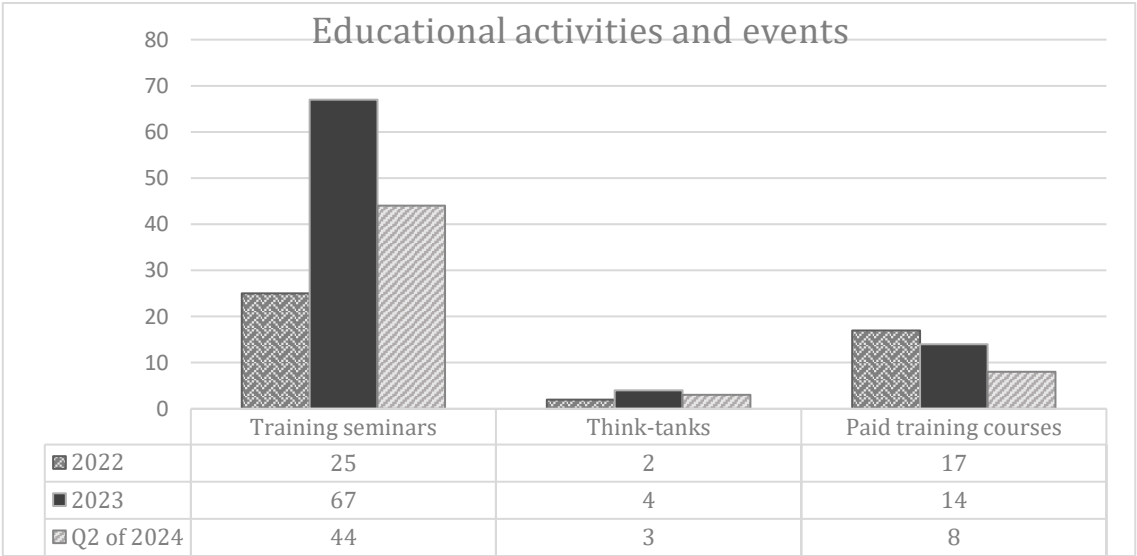


Fig. 1 Educational activities and events organized by the Centre from the start of 2022 till end of the 2nd quarter of 2024
(created by the authors)

Similarly in December of 2023, the Centre organized a week-long training cycle for the investigators of various Latvian law enforcement agencies to expand their knowledge and skills in investigating criminal cases tied to money laundering. During the training, invited experts of Britain’s economic advisory company “Adam Smith International” drew attention to the diversity of intelligence and evidence in these cases, provided the latest methods of finding information online, explained the importance of cooperation between investigators, police and courts, and discussed digital forensics, court presentation of said cases, tax evasion indicators and other topics. As a part of the Great Britain’s project “Serious and Organised Crime network (SOCnet)”, the training process was funded by the British government, and it was realized by virtue of the British Embassy in Latvia.

In order to develop a common understanding among law enforcers on the interpretation of the provisions of the Criminal Law and to promote its united application in practice, the seminar and think tank participants are not only investigators, but also prosecutors and judges, together analysing summaries of case law and exchanging individual viewpoints and experience.

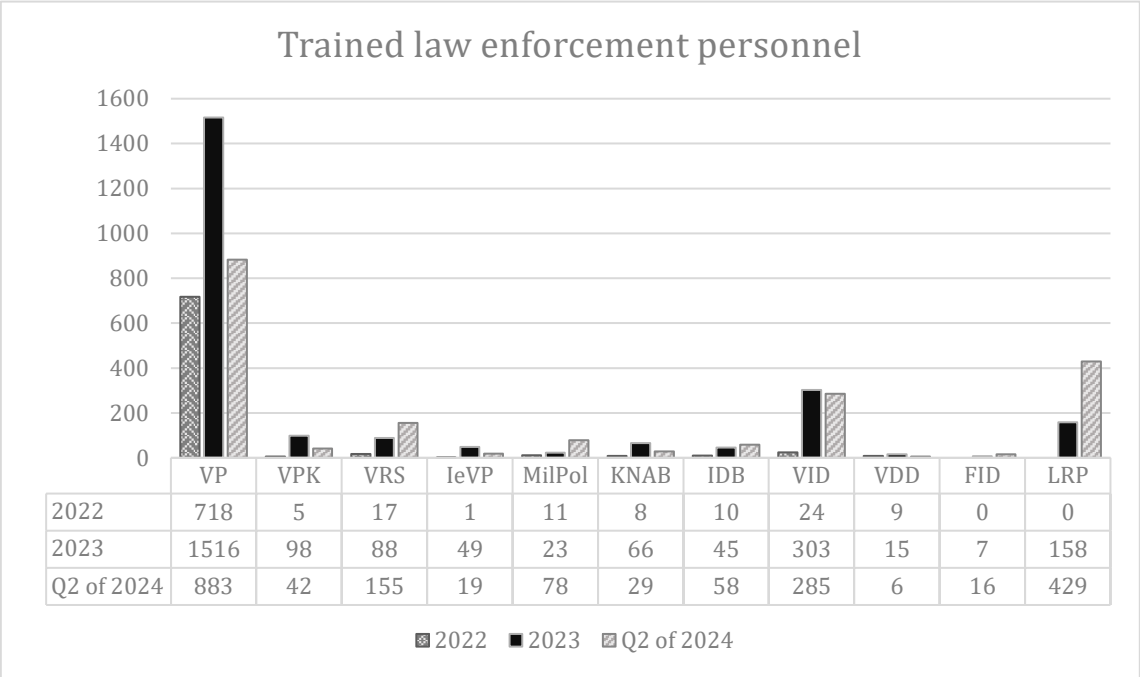


Fig. 2 Successfully trained law enforcement personnel from the start of 2022 till end of the 2nd quarter of 2024 (created by the authors)

Abbreviations: **VP** – State Police of Latvia, **VPK** – State Police College of Latvia, **VRS** – State Border Guard, **IeVP** – Latvian Prisons Administration, **MilPol** – Latvian Military Police, **KNAB** – Corruption Prevention and Combating Bureau, **IDB** – Internal Security Bureau of the Ministry of the Interior, **VID** – State Revenue Service, **VDD** – Latvian State Security Service, **FID** – Financial Intelligence Unit of Latvia, **LRP** – Prosecution Office of the Republic of Latvia.

To organise such thematically targeted cross-sectoral seminars has now become a tradition. Thanks to the response of the judges of Economic Affairs Court, an event is organised once a year in May, to discuss topical issues and case law in proceedings on criminally acquired property. This provides a direct and immediate feedback and creates a common understanding of the application of legal rules in the investigation and trial of specific criminal offences. This year, the training was organised in a hybrid format, offering both face-to-face and remote participation. In terms of attendance, this is the best attended training event, with over 200 participants (mostly investigators) represented by all law enforcement authorities.

The Centre is also a participant in the project “Judicial Academy”, implemented by the Court Administration with the support of the European Union. It is a pleasure to be a partner in this project and to work together in developing a quality training processes and overcoming the challenges and difficulties faced by law enforcement officials in the investigation and adjudication of criminal offences.

Conclusions and suggestions

We, the Centre, are delighted and immensely proud when, after finishing the Centre’s training course, the trainee returns to their assignments with knowledge directly applicable to the needs of their job and that facilitates their future duties. The Centre regularly surveys participants, collects their responses, and implements solutions for the desired improvements and recommendations that are specified by the trainees themselves to better the learning process. In addition, new training topics specified by officials, which are necessary for the improvement of their professional activities and qualifications, are summarised which enables the development of an appropriate non-formal education curricula. It should be noted that the most relevant and unique training events are recorded and these recordings are available on E-Study platform of the State Police College (provided with Moodle), where they can be watched and re-watched in any time of the day. E-Study site also provides all law enforcement agencies with composite database that consists of methodological materials, publications of latest changes in legislation, guides and manuals, examples of official forms and other documents, training course presentations and more, that can be accessible without a time limit or any other restrictions.

By continuously improving the classrooms and training grounds of the Centre, the management and the staff can provide an inclusive learning environment to ensure that any investigator, whose workplace may not have comfortable and/or attractive circumstances, in addition to gaining knowledge and establishing contact with colleagues from other departments or institutions, also feels welcomed in the Centre and feels that their hard

work and responsibilities are understood and appreciated. It is warranted that they understand they are not alone with their issue and that they can get support and advice in one form or another, through discussions with their colleagues, superiors and the Centre's lecturers or through enlightening nature of the training process itself.

An investigator is and remains a leading force in any law enforcement authority because only he can enforce the true rule of law by treating every case with precision and objectivity. Through the training process, the staff of the Centre has got to know inquisitive, capable and professional investigators who care about their work, their profession and the prestige of their institution. This means only one thing: the criminal world in Latvia has no reason to rejoice, because there are countless bright, sharp and perceptive investigators who love their profession and who will make sure that the rule of law is of the highest value and that the justice will always prevail.

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INTERAGENCY COOPERATION. CHALLENGES FOR UKRAINE

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Abstract. *The author of this research paper is going to analyse challenges for Ukraine on inter-agency cooperation among the civilian security sector actors during conducting criminal intelligence activity and the pre-trial investigation stage of the criminal process. It is a very important factor for the national security of the country. it does not matter the country's location. It might be Asia; it might be Europe. Good inter-agency cooperation mechanism paves solid ground for ensuring country's security and maintaining public order and the rule of law, bringing offenders to justice for wrongdoings. The author of this paper uses a wide range of methods to analyse and assess the main issues for successful cooperation among the main players of the civilian security sector of Ukraine and their counterparts abroad.*

Keywords: *criminal intelligence activity, inter-agency cooperation, pretrial investigation, the civilian security sector.*

Introduction

There is always competition for influence, but there are also opportunities for cooperation.

Lee Hsien Loong

The Revolution of Dignity 2014 implies the beginning of huge changes in Ukraine, including the buildup of the new legal system in the Ukraine and succession of the best values of Western (the term „Western” is used here as well as an intellectual and cultural rather than a geographical meaning) legal traditions. At the same time, it can be the starting point for the legal system of Ukraine from which it has been beginning and developing in the direction of respect for human rights and for fundamental freedoms. This is clearly reflected in the Constitution of Ukraine. The Constitution of Ukraine aspires to ensure human rights and freedoms and living conditions worthy of human dignity. This aim means that Ukraine must be under the rule of law and the most important values are human rights and fundamental freedoms. Each democratic country based on the rule of law is responsible and accountable for ensuring human rights and fundamental freedoms enshrined in international and domestic law. One of the conditions for ensuring human rights and fundamental freedoms is inter-agency cooperation in prevention



and detection of law offenses.

This academic paper aims to introduce the challenges of inter-agency cooperation that are facing the main players of the civilian security sector of Ukraine. The author of this paper uses a wide range of methods to analyse and assess the main issues for successful cooperation among the main players of the civilian security sector of Ukraine and their counterparts abroad. The following research methods were used to achieve the aim of this research: content analysis, textual analysis, structured, semi-structured and unstructured interviews; analytic induction, authors' observation in the field of inter-agency and international cooperation in prevention, detection and investigation of cross-border crimes during pre-trial investigation, operational search activity/criminal intelligence and sharing information. Structured, semi-structured and unstructured interviews were done by the author of this academic paper in 2023-2024. The target audience of these interviews were: police officials from prevention and criminal police structural units at the National Police of Ukraine, officials from the State Border Guard Service of Ukraine, the Office of General Prosecutor of Ukraine, the Economic Security Bureau of Ukraine, the State Customs Service of Ukraine. All respondents (50) before conducting interviews had been informed about the aim of such interviews. The questionnaire for structured and semi-structured interviews was created by the author of this research paper in compliance with ethical and data protection standards prescribed by the law. Also, unstructured interview method was used where questions were not arranged in advance. The author maintains respondent anonymity during the interview. This means that no information which allows them directly or indirectly to identify the respondents above-mentioned interviews. Thus, participants reflected on the highlights and lowlights of their inter-agency cooperation in tackling cross-border crimes and discussed separate cases of successful cooperation as well as addressing the challenges. The outcomes of this paper are going to be important considering reform in the civilian security sector of Ukraine launched and still going on after the Revolution of Dignity of 2014.

Main part of research

Efficiency is doing things right; effectiveness is doing the right things.

Peter Drucker

The author of this academic paper analyses data on inter-agency cooperation tackling cross-border crimes and other law offenses that the

author received during structured (12 respondents), semi-structured (10 respondents) and unstructured interviews of 28 respondents, and he presents the findings of this research below.

During interviews, the respondents highlighted numerous instances of effective collaboration among various Ukrainian civilian security sector actors, as well as with non-governmental organizations (hereinafter referred to as “NGOs”), particularly in handling cases related to human trafficking for sexual exploitation, drug trafficking, counterfeit stamps for foreign residency on passports of Ukrainian males seeking to avoid mobilization, and illegal border crossings by conscription-aged men. Currently, for instance, in the regional public prosecutor's offices located in the West part of Ukraine, regional inter-agency working groups are functioning analyse on daily basis crimes related to the usage of state budget funds, fraud related to humanitarian aid, corruption, trafficking in human beings, illegal transportation the small arms from war zones etc. These inter-agency working groups include not only representatives from the civilian security sector of Ukraine, but also representatives from the mass media, banks, local authorities and local communities, and NGOs. It is an excellent example of how the civilian security sector players in the Western part of Ukraine cooperate with civil society in tackling cross-border crimes, and it has considered to create such inter-agency working groups in other countries, especially with fragile democratic institutions. Despite the positive things presented above, there is room for improvement in inter-agency cooperation.

The author of this academic paper highlights the areas for improvement of international cooperation in tackling cross-border crimes: 1) criminal matters, 2) criminal intelligence area, 3) sharing information for detection of crimes and/or creating in effective prevention policy.

The author of this research paper presents its findings on the challenges for the civilian security sector players in the Western part of Ukraine below:

1. International cooperation within criminal procedure laws is highly centralized and time-consuming, apart from cooperation with Poland and Moldova, where bilateral agreements allow in some areas prescribed in laws direct cooperation between the law enforcement agencies located in the Western part of Ukraine and counterparts from the Republic of Poland and the Republic of Moldova. It allows us to speed up conducting the pre-trial investigative actions in criminal matters, sharing information. On the contrary, requested pre-trial investigative actions and information from

some European Union Member States (hereinafter referred to as “EU MS”) can last for years. There are no feasible tools to foster the effectiveness and timeliness of international cooperation at the regional level. However, it is very important to facilitate the process in a way to legally authorise regional institutions. For example, grant permission to the regional Public Prosecutor’s Office to maintain international cooperation in criminal proceedings directly.

2. Joint Investigative Teams (hereinafter referred to as “JIT”) are not sufficiently implemented at the regional level, but only on national in the Office of Prosecutor General of Ukraine. Thus, on regional level, it is something unfamiliar, although it could be useful and widely applicable for trans-border crime investigations. According to Article 571 of the Criminal Procedure Code of Ukraine on “Establishment and activities of joint investigative groups” (hereinafter referred to as “CPC”) *“joint investigative groups may be set up to conduct pre-trial investigation of circumstances of criminal offences committed in the territories of several states, or where the interests of such states were affected. The Prosecutor-General’s Office of Ukraine shall consider and decide the issue related to setting up joint investigative groups, upon request of Ukrainian pre-trial investigation agency’s investigator, public prosecutor, and foreign competent authorities”*. The tool of Joint Investigation Teams should be used at a regional level and the procedure of its implementation should be simplified and encouraged. This requires legislation amendments including adjustments to the standard operation procedures (hereinafter referred to as “SOP”) on the JIT.

3. Also, there are cases where, due to the formal limitations within the law of Ukraine “About operative search activities” a crime, like organized drug trafficking, cannot be investigated trans-nationally, but must be interrupted on the territory of Ukraine. Thus, according to above-mentioned law, all information obtained during conduction operative search activity (the author’s note – a criminal intelligence investigation) is the state secret. It doesn’t allow the officials to share this type of information with foreign law-enforcement agencies from EU MS or third countries. For this reason, controlled organized crime must be stopped in the territory of Ukraine. This results in the loss of the organizers of the criminal group, or the criminal association, as contracting authorities usually originate from EU MS, while the suppliers of drugs are mostly from third countries. For example, Kazakhstan, Georgia. In given example, Ukraine usually serves a transitional territory for transporting drugs from the third country to the EU MS, or third country. While being transnational organized crime, it is investigated and

completed in Ukraine without disclosure of all the criminal chain.

4. Exchange of information among the different players of the civilian security sector of Ukraine is highly centralized. It means, that communication has gone mainly through central bodies. There is a lot of bureaucracy. Namely, overregulated internal rules for exchanging information within an institution and the important role of heads of different levels of structural units within the institution affects the process, or even hinder the process of exchange of information.

5. Also, there is no single operative/criminal intelligence information collection and sharing centre/database. Each player of the civil security sector of Ukraine seeks to have his own database and access to it is only through the central institution. The above describes the existing and functioning model of collection and sharing information in Ukraine among the main players of the civilian security sector of Ukraine must be it change into a single database for all players of the civilian security sector of Ukraine. For example, the Republic of Estonia has one database for all players of the civilian security sector and access to a single database has each law enforcement agency according to the procedure prescribed by the legal acts of the Republic of Estonia. It depends on the type of information (ordinary, or information received through usage of methods to collect information based on the criminal intelligence law).

6. There are also concerning obstacles to effective investigation when the judge issues an order for getting information from operators of mobile network operators or the internet service providers within the Criminal Procedural Code timeframe limits. For example, the validity of a court order on getting information is two months. It is acceptable if a mobile network operator is in the country, although another situation occurs, if the operator is abroad, and it takes much more time to obtain information. Two months period is not enough due to long international communication procedures. If the answer comes after two months, this data will by then be not admissible as evidence in a criminal case.

7. The civilian security sector players in the regions even don't know the institute of liaison officers or police attaché of foreign countries located at the embassies in Ukraine. It is another effective instrument to speed up international cooperation in criminal matters, exchanging information with counterparts from abroad for the purposes of investigation of cross-border crimes. There is a need for regional players of the civilian security sector to have a connection with liaison officers, police attaché' working at the embassy of a foreign country in Ukraine in a way to get information from

other foreign law-enforcement institutions.

8. There is a lack of exchange of information between different departments of police. For example, between prevention and investigation units of the National Police of Ukraine. For example, if investigators reveal the *opus operandi* of fraudsters during criminal proceedings, this may be valuable for structural units coping with crime prevention. They can raise awareness in society about the most popular fraud schemes, methods for recruitment of persons for labour and sexual exploitation. Sharing it with the local authorities, local communities allow them to prevent or minimize harmful effects on some types of crime.

9. The primary and the main measurement for evaluating the performance of the civilian security sector players of Ukraine still continues to be statistical data, specifically the detection of criminal offenses and number of criminal cases forwarded to court. This method, however, has led to concerns about false efficiency. The driving force behind the criminal investigation process is the quota of criminal cases that need to be investigated within a specific timeframe, typically a quarter of the year. Consequently, this does not accurately reflect the real criminological situation, as the number of criminal cases remains static, unaffected by actual crime rates. The civilian security sector players often adhere to the case numbers reported in the previous period's statistical report. An increase in criminal investigations reported in one period necessitates reporting a similar number in subsequent periods to avoid the appearance of decreased efficiency. This approach not only misrepresents the true state of play, but also incentivizes the civilian security sector players to focus not on serious, complicated, latent crimes but on simpler, less complex cases committed not by the members of organized groups, or criminal associations, not professional criminals. Performance evaluation strategy of the civilian security sector players must be changed for reasons mentioned above.

10. There is a lack of clarity in the delineation of responsibilities of the pre-trial investigation bodies when it comes to investigating specific categories of crimes, such as economic crimes, smuggling of goods. This ambiguity often leads to overlapping authority among agencies. The Criminal Procedure Code offers some flexibility in establishing jurisdiction, but this often results in the civilian security sector players withholding operational/criminal intelligence information from one another. Consequently, the focus tends to shift towards handling high-profile cases and achieving investigative primacy, especially in the mass media coverage,

rather than enhancing quality inter-agency cooperation aimed at achieving substantive results.

11. From May 2024, Ukraine withdrew from the Minsk Convention on Legal Aid and Legal Relations in Civil, Family and Criminal Cases, adopted in Minsk on 22 January 1993. The Convention regulates cooperation in legal matters among members of The Commonwealth of Independent States (hereinafter referred to as “CIS”) (the author notes, the signatories of Minsk Convention are the Russian Federation, Belarus, Uzbekistan, Armenia, Kazakhstan, Tajikistan, Kyrgyzstan etc.). The main platform for international cooperation remains European Convention and additional protocols, while not all CIS states aren’t signatories/parts of the European Conventions.

Conclusions and suggestions

1. International cooperation within criminal procedure laws is highly centralized in Ukraine. Suggestion should be following - modification of existing international agreements through amendments or preparation and ratification the new bilateral agreements that allow for direct interaction between the regional civilian security players in bordering regions of Ukraine and counterparts from the European Union Members States, the Republic of Moldova. This will enable quicker and more efficient detection of cross-border crimes.
2. Revision of SOPs must be done, and it has to grant more operational autonomy to regional actors of the civilian security sector, especially in cooperation with the EU MS, third countries bordering with Ukraine. Enhancements to SOPs should also focus on improving the exchange of information between different units within the regional civilian security sector players, thus expediting criminal investigations.
3. Development of specific competencies to address identified needs of the regional civilian security sector players should be one of the priorities in inter-agency cooperation, such as creation of educational programs, advanced training on specific topics related to prevention activities, detection and investigation of cross-border crimes.
4. Establishment of an inter-agency coordination center. It might be governed by a legal act, and it aims to ensure proper cooperation and coordination in the activities among various bodies. These agreements should cover all aspects of cross-border cooperation, such as joint risk analysis, experience and information exchange, and investigative collaboration.

5. Establishment of regional inter-agency working groups on relevant phenomena. It comprises of actors from the civilian security sector, private businesses including airlines, ferry operators, cargo carriers, railway companies, and other logistics services, local authorities and civil society. This group will coordinate the implementation of decisions by higher-level working groups, resolve cooperation issues, and identify areas for increased collaboration.

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SOCIO-PSYCHOLOGICAL CONSEQUENCES OF COMBAT STRESS ON MILITARY PERSONNEL PARTICIPATING IN COMBAT OPERATIONS

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Abstract. *The article explores contemporary scientific approaches to studying and understanding the combat stress environment and its key factors, significantly impacting military staff participating in combat actions and afterward in their civilian life. It highlights and provides evidence for the socio-psychological effects of combat stress on military personnel engaged in combat operations. Furthermore, the article analyzes the key factors of the combat environment and expands the interpretation of the combat stress concept, taking into account the realities of today. The article aims to clarify the list of the leading modern theoretical and methodological approaches to studying "combat stress" and to identify and substantiate the socio-psychological consequences that arise in veterans returning to peaceful life in the present-day realities.*

Keywords:

combat stress factors, combat stress, combatants, PTSD, State border guard service of Ukraine.

Introduction

Topicality of research. The content of the latest scientific achievements of stress researchers reflects the latter's belief that stress is a significant factor affecting the quality of people's lives, closely related to mental and, most likely, many physical health problems (Puzyrev, 2006). Unfortunately, Ukraine has faced armed aggression by the Russian Federation, which involved on the battlefield a variety of components of its Armed Forces. Hundreds of thousands of military personnel from both sides are involved in the fighting. The circumstances of the serviceman of the State Border Guard Service of Ukraine (SBGS) in conditions of significant combat stress with the need to make optimal decisions in real-time and in a limited time produce high standards of requirements for the mental health of its servicemen (Lazos, 2020). Given the high motivation to protect the territorial integrity and sovereignty of Ukraine and the improvement of military professional and psychological training systems in the service, some servicemen still face mental health problems as a result of participation in hostilities, manifested by the development of an acute stress reaction, accompanied by combat and chronic stress. Subsequently,



the symptoms can become posttraumatic stress disorder (PTSD), which causes a range of problems for combatants at the interpersonal and social levels (Lazos, 2020).

The research conducted over the last thirty years by foreign and native scientists has revealed the significance of combat stress's impact on a serviceman's mentality. Such factors as combat situations can influence the development of the consequences of the subjective experience of combat stress, individual psychological characteristics of a person, level of professional and psychological preparation of a combatant for combat operations, etc. (Blinov, 2019). However, the need to clarify and supplement the content of this list of combat stress factors, taking into account the Russian-Ukrainian war's experience to improve the medical and psychological rehabilitation system of military personnel participating in combat operations, led to the choice of the research topic. That's why the object of the study is combat stress in military personnel participating in combat operations, and its subject is to identify and substantiate the socio-psychological consequences of combat stress in combatants of the State Border Guard Service of Ukraine. That's why the **purpose of the article** is to identify, clarify, and substantiate combat stress factors and its socio-psychological consequences in military personnel participating in combat operations of the State Border Guard Service of Ukraine, as well as to substantiate the feasibility of choosing and applying the most effective psychotherapy methods.

Research period and the methods. The study was carried out at Bohdan Khmelnytskyi National Academy of the State Border guard Service of Ukraine in the period of August 2023 up to July 2024 in the real conditions of the military higher educational establishment on the basis of the general scientific methods of theoretical level and methods of the empirical research.

Particularly the sociometric method has allowed us to determine the clarify, and substantiate combat stress factors and its socio-psychological consequences.

Subtitle of the body

The results of the modern theoretical and methodological approaches to studying "combat stress" in native and foreign scientific sources have been analyzed. Thus, the phenomenon of combat stress and its socio-psychological consequences have been studied by such researchers as L. Kitaev-Smyk, S. Litvintsev, A. Romanishyn, M. Holyk, V. Liashenko, A. Romanishyn, Y. Romanovskyi, S. Sukiasyan, I. Prykhodko, O. Blinov, P. Voloshyn, N. Maruta, L. Shestopalova, O. Kokun and others. Modern scientific views on the socio-psychological consequences of combat stress

were highlighted in the works of foreign researchers such as A. Flood (2017), R.J. Keegan (2021), Rebecca B. Wisco (2021), Dr. Mark W. Miller (2022), D. Murphy (2023), Charles W. Hoge (2024), Amy Adler (2024) and others.

The study of the socio-psychological consequences of combat stress belongs to psychologists, among whom the leading role is military, clinical and social psychologists R. Abdurakhmanov, O. Karayani, Y. Karayani, P. Korchomnyi, S. Kolov, O. Kosova, T. Nikitina, M. Reshetnikov, I. Syromiatnikov, O. Zhadaniuk, O. Utiuganov.

Phenomenological Analysis of the Essence and Key Factors of “Combat Stress”. In conducting a phenomenological analysis of the essence and primary factors associated with “combat stress,” we reviewed the most cited descriptions of this term in Ukrainian and foreign academic sources. Our analysis focuses on the most commonly used definitions of this concept:

Combat stress is a psychological manifestation of a stress response among military personnel resulting from exposure to combat activity factors. Combat stress prompts radical changes in military personnel's affective, cognitive, and behavioral spheres, significantly influencing their operational performance and thus necessitating psychological protection from its effects (Puzyrev, 2006).

According to K.O. Kravchenko, “combat stress” is defined as a set of psychological disorders experienced by combat participants as they adapt to the specific conditions of the combat environment, characterized by threats to their health and life (Zhyhaylo, 2022).

Blinov O.A interprets “combat stress” as a state of psychological tension in military personnel while adapting to combat conditions by utilizing available resources (Blinov, 2019).

R. Gabriel describes “combat stress” as an accumulation of unproductive actions and their consequences as the body adapts to the combat situation, resulting in homeostatic self-regulation and manifesting in a wide range of psychophysiological changes (Lyash, 2021).

R.Sapolsky defines “combat stress” as the body’s intense response to danger during combat, involving physiological and psychological aspects (Sapolsky, 2009).

According to research by H. Kormos, combat stress involves adaptive actions of the human body during combat, strengthening states of reactive self-regulation and adaptive psychophysiological changes (Zhyhaylo, 2022).

N. Zhigaylo defines “combat stress” as a specific type of stress characterized by the effects of a general adaptation syndrome complex. In most cases, combat stress takes the form of distress, with extremely high, often overwhelming intensity for the body, accompanied by psychological

disorders with pre-pathological and pathological consequences (Leung, 2018).

L.Ye. Kuznetsova describes “combat stress” as characterized by excessive mental and emotional tension, which can lead to reduced sensitivity, slowed responses to external stimuli, impaired motor coordination, weakened attention, and memory—factors that undeniably diminish or threaten the execution of combat missions (Kuznetsova, 2018).

The results of comparative and phenomenological analysis of the essence and content of the term “combat stress” in Ukrainian and foreign scientific sources reveal a lack of unified definitions or a standardized theoretical construct. This is due to the specificity of the scientific paradigms – biology, medicine, psychology, sociology, and others – through which this concept is studied. Given the unique nature of combat conditions, researchers in combat stress propose using constructs such as combat mental trauma, combat stress, combat-related mental pathology, post-traumatic stress disorders, and other terms that are distinguished by the psychophysiological and socio-psychological consequences that emerge over time from the “zero moments” of trauma.

Given the above, we will systematize and distinguish the objective and subjective groups of factors of the combat environment in which serviceman may experience the effects of combat stress.

Thus, the emergence of a pre-pathological destabilizing state of combat stress is influenced by many factors, the main of which is 1) "fear of death or injury". This fear relates to the loss of one's own physical integrity or witnessing the severe injuries and death of others. Since the brain has special centres for assessing threats, a threat from another person causes a much higher stress level. Thus, a soldier may be most afraid of being killed or injured by the actions of another person, which increases stress.

Evolutionarily, humans have an attitude of 2) "do not kill your own type" to preserve the species and reduce the tendency to intraspecific aggression. Without special military training, most people are unable to kill an "enemy human," and such an act causes considerable stress. In addition, moral and ethical dilemmas between the duty to obey orders and personal moral convictions, especially in rapid decision-making with lethal consequences, contribute to mental exhaustion. Dangerous combat missions with limited resources require maximum concentration of cognitive, emotional and physical effort, which exacerbates the effects of combat stress.

One of the critical factors of combat stress is 3) "loud noises". Historically, we, as a species, have evolved in an environment where loud sounds were perceived as a danger signal that required an immediate response to save lives. Modern warfare is full of a variety of deafening

sounds - from drones, drones, aeroplanes, helicopters, tank and artillery fire to mine and small arms explosions. The screams of wounded soldiers also add a special effect to this intense acoustic atmosphere, exacerbating the stress response of the soldiers. 4) Prolonged exposure to constant threats to life and health, such as waiting in combat positions or regrouping near the enemy, leads to mental deprivation. This occurs due to the inability to meet essential life needs, such as a regular civilian lifestyle and contact with loved ones. Such conditions cause constant nervous tension and lead to a sense of isolation, which significantly increases combat stress and negatively affects the mental state of the military. 5) Also, frustration can arise when a service member is aware of objective insurmountable difficulties, such as the enemy's technical equipment and training superiority. This causes feelings of powerlessness and dissatisfaction due to the inability to win. In addition, frustration can be exacerbated by internal psychological conflict when a unit objectively has the combat capabilities to win but cannot act due to the lack of appropriate orders from the command. This situation creates a sense of internal conflict and hopelessness, which increases combat stress (Rosen, 2010). 6) The peculiarities of physical, geographical and climatic conditions sometimes lead to an extreme environment characterized by extreme heat, cold, wind, snow, rain or other manifestations, which can significantly complicate the combatants performing combat missions and contribute to an increase in stress. 7) Lack of time for sleep and recovery after combat missions, even if available, leads to physical and psycho-emotional exhaustion of the combatant in the long run. Combatants are often forced to perform complex combat missions for long periods with minimal rest periods. The nervous system is in a state of excitement for a long time. 8) Lack of adequate provisions and water to maintain vitality in combat conditions does not contribute to a combatant's physical or mental performance.

We have also identified another group of factors contributing to combat stress: 9) lack of proper support from the command. The directive, dry style of communication between commanders and subordinates, the unjustified remoteness of command posts and headquarters deep in the rear from the actual location of combatants on the contact line, and sometimes miscalculations in the planning of operations can increase the level of abandonment, helplessness and isolation of a combatant while performing their combat missions.

These factors affecting the stability of the mental health of combatants and their readiness for long-term combat missions in an environment of combat stress can be conditionally grouped into several categories: personal (biological and individual psychological), occupational, situational, psychogenic and socio-psychological (Daphna-Tekoah, 2023). All these

factors form a multifaceted picture of the combat-stress environment. However, it should also be noted that, in the end, it is not so much the factors of combat stress that are decisive regarding social and psychological consequences. In particular, it is the soldier's perception (critical thinking skills) of the complex psychophysiological consequences with the aim of further adaptation into adaptive professional activity in combat conditions. It is worth emphasizing that combat stress factors, as hazardous and life-threatening for a soldier, significantly provoke the emergence of combat-related mental trauma or other temporary maladaptive states in combatants but do not guarantee the emergence of more severe mental disorders. At the same time, low levels of introspection and reflection are more likely to provoke the development of a different range of social and psychological consequences of combat stress in combatants, thereby reducing their quality of life in peaceful conditions.

We surveyed borderguard cadets participating in combat operations to identify the critical factors of combat stress. The survey asked them to identify the factors they believed most significantly contributed to the onset of combat stress. They rated the most traumatic factor as 8, the least traumatic factor as 7, and so forth. A total of 23 individuals participated in the anonymous survey, of whom only 11 provided relevant responses on this topic. The rest completed this part of the survey with evident inaccuracies, indicating their reluctance to participate in the survey on this issue. The average age of respondents was 23.5 years, with their combat experience during the full-scale invasion ranging from 3 to 11 months.

According to the respondents, the most significant factor of combat stress is the lack of adequate support from the command, rated at 8 points. This is closely followed by factors related to insufficient conditions for rest, sleep, and recovery. Factors such as "loud noises" and "prolonged exposure to a constantly threatening environment" received an equal rating of 5 points. Factors associated with the fear of physical injury, death, and killing others were given relatively low ratings of 3 and 4 points by the respondents. The lowest-rated factor was related to unfamiliar social, living, and geographical conditions.

Combat stress factors, despite being highly dangerous or life-threatening, significantly contribute to the likelihood of developing combat-related psychological trauma or other mental disorders. However, they do not guarantee their occurrence. Recognizing these factors is essential for clarifying the nature of psychophysiological changes among combat participants over time and refining effective measures to mitigate the socio-psychological consequences.

As part of this study, we asked respondents to determine what they believe rehabilitation after combat-related trauma should entail. To do so,

respondents were asked to select the options that resonated most with them. The distribution of responses is presented in the chart (Figure 1).

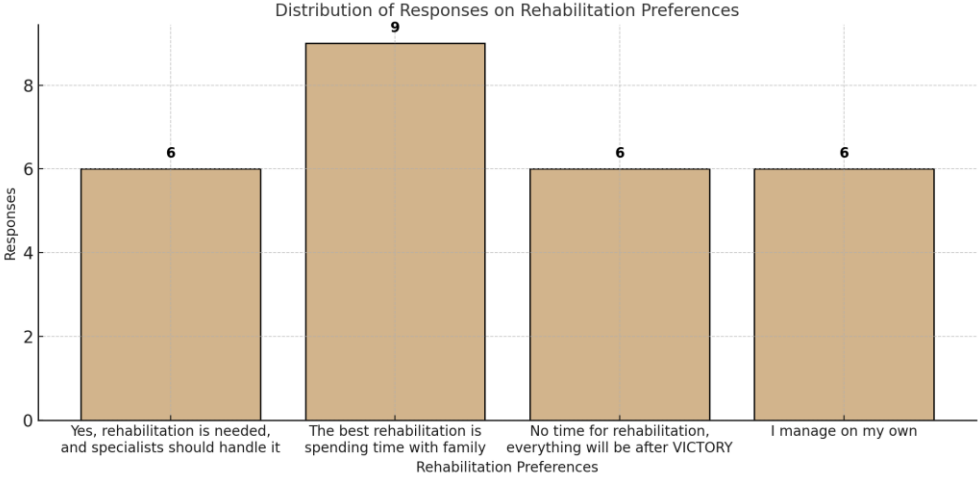


Figure 1 Attitudes of military personnel towards rehabilitation after combat-related trauma (Source: compiled by the author)

In the graphical diagram, we processed the results of a study on the perspectives of combat-experienced military personnel toward rehabilitation after combat-related trauma. As shown in the diagram (tab. 1), one-third of respondents (33.3%) consider spending time with family as the best form of rehabilitation. Only 22.2% expressed a practical attitude toward medical and psychological rehabilitation by selecting the option, ‘rehabilitation is needed, and specialists should handle it.’ Almost half of the respondents (44.4%) believe rehabilitation is ‘not timely,’ choosing either ‘I manage on my own’ or ‘everything will be after thr Victory.’

Overall, these results are supported by statistical data indicating that 37% of military personnel experiencing specific symptoms of anxiety-depressive spectrum disorders and PTSD show low readiness to seek professional help, which in some cases leads to recurrences of mental health disorders and destructive consequences of trauma.

Considering the results of the scientific research on the factors of the combat environment, it is essential to identify and analyze the emotional, behavioural, and value-oriented groups of the socio-psychological consequences of combat stress in military personnel. Let us consider each of the proposed groups in more detail.

Emotional group of social and psychological consequences of combat stress in military personnel		
1	Anxiety conditions	Veterans who have experienced combat may experience persistent anxiety and panic attacks, which makes it difficult for them to function in their daily lives and social interactions.

		Anxiety disorders are accompanied by irritability, problems with sleep and concentration, as well as physical symptoms such as palpitations. Hyper-excitability forces veterans to constantly react to potential threats, which is mentally and physically draining. This condition can also provoke other disorders, such as depression or PTSD, which complicates the process of rehabilitation and integration into society (Proctor, 2010).
2	Depressive conditions	Veterans often develop depression, which manifests itself in the form of negative conclusions about themselves, other people and the world in general about the futility of all efforts, hopelessness, loss of interest in activities they used to love, and a general decrease in mood. It can lead to sleep problems, chronic fatigue, and even suicidal thoughts. Depression worsens not only the veteran's condition but also creates additional stress for their loved ones (Schnurr, 2023).
3	Emotional numbness	Combat veterans may experience emotional devastation and numbness, i.e. states of low intensity of the palette of feelings, which may seem as if they have lost the ability to feel or express any emotions. Emotional numbness is a defence mechanism that helps veterans avoid painful memories, but at the same time, it makes it difficult to maintain intimate, emotional, trusting, close relationships (Schnurr, 2023). It can create prerequisites for attachment style disorders from reliable to anxious, avoidant, or disorganized, which deepens the state of isolation and deprivation (Schnurr, 2023).
4	The feeling of guilt and shame	Veterans may experience intense feelings of guilt for their actions during combat, accompanied by obsessive self-critical thoughts. It leads to internal conflicts, social exclusion, and decreased self-esteem and self-confidence. Feelings of shame and guilt create additional barriers to communication and interaction (Schnurr, 2023).
5	Anger, rage	Increased irritability due to traumatic memories and a heightened sense of justice lead to categorical thinking, which intensifies emotional states of anger and rage. It can provoke aggressive behaviour and conflicts in social interactions, especially in the family and at work. Veterans become intolerant of injustice, which increases the risk of social conflicts and negatively affects their physical health, in particular, increasing the risk of cardiovascular disease (Chen, 2022).

Behavioural group of socio-psychological consequences of combat stress in military personnel		
1	Aggression	Veterans may show aggression as a reaction to stressful memories or provocative situations without considering the current context. It leads to conflicts in family, work and social interactions, and sometimes aggression is directed at oneself, causing additional psychological and physical trauma.

		Aggression is often associated with a sense of powerlessness and inability to control the situation in civilian life, which is atypical for veterans with PTSD. Transferring combat experience to everyday situations increases social isolation and can lead to job loss (Chen, 2022).
2	Alcohol or substance abuse	Some veterans may turn to alcohol or drugs as a quick way to relieve stress and emotional pain, gaining short-term benefits in the form of euphoria but also destroying relationships and worsening their health in the long run. Studies show that veterans with PTSD are at higher risk of developing alcohol and drug addiction. Long-term substance use negatively affects mental and physical health and can lead to problems with the law and financial difficulties, complicating their reintegration into society (Schnurr, 2023).
3	Problems with impulse control	Combatants may have difficulty controlling impulses, which manifests itself in dangerous or unpredictable behaviour, including sudden mood swings and inadequate reactions to stress. Increased excitability and the inability to effectively regulate emotions often necessitate an immediate response to stimuli, which makes it difficult to interact with others and go about daily life. It can lead to participation in risky activities that pose a threat to the health and safety of veterans. In addition, impulse control problems can negatively affect the effectiveness of professional activities (Schnurr, 2023).
4	Isolation	Veterans often avoid social situations, which leads to isolation and loneliness, weakening social support. It worsens mental health by increasing depression, anxiety and guilt. Isolation also leads to lower self-esteem and a sense of hopelessness, which complicates the rehabilitation process. As a result, veterans are less likely to seek help, which only worsens their psychological state and hinders successful medical and psychological rehabilitation (Proctor, 2010).
5	Suicidal thoughts and attempts	Some veterans may experience suicidal thoughts or make suicide attempts due to feelings of hopelessness and helplessness resulting from frustrating situations or a lack of hope for change. It is a severe behavioural problem that requires immediate intervention. Studies show that veterans with PTSD are at increased risk of suicide, especially those who feel deep guilt or shame. It is essential to provide rapid psychological support, including consultations with specialists, family support and access to crisis interventions (Proctor, 2010).
Value-oriented group of socio-psychological consequences of combat stress in military personnel		
1	Loss of the sense of life	After returning from combat, veterans may face a loss of meaning in life, which often leads to an existential crisis. They may feel aimless, depressed, and isolated, which is exacerbated by automatic negative thoughts about their

		worthlessness (Schnurr, 2023). Studies show that the loss of comrades-in-arms during hostilities exacerbates the crisis, making it difficult to adapt to civilian life (Schnurr, 2023). This condition can cause social isolation due to lacking motivation to interact. Therapeutic approaches should help veterans find a new meaning in life through involvement in volunteer activities, education, or new professional opportunities (Schnurr, 2023).
2	Changes in moral values	Combat actions can significantly change the content of veterans' moral values and beliefs, creating a conflict between actions in war and previous moral principles. It causes internal dissonance, accompanied by feelings of guilt, shame and lowered self-esteem. The skills needed to survive on the battlefield may contradict the rules of civilian life, making it difficult to get along with others. It is crucial to guide the integration of combat experience into the veteran's value system, helping them to find moral balance and adapt to peaceful life (Chen, 2022).
3	A sense of betrayal	Combat veterans may feel betrayed by their commanders and society, leading to losing trust in others and decreased motivation for social contact. This feeling may arise from a lack of support upon return or political decisions that contradict their expectations. This condition can cause internal conflict, leading to isolation and alienation. It is vital to promote the restoration of trust through the support of psychologists, social workers, and veterans with similar experiences, which will help resolve this conflict (Gross, 2024).
4	Religious crises	Veterans may face religious crises when their combat experiences contradict their religious beliefs, which can cause guilt and force them to re-examine their faith. Such crises often raise questions about justice, the meaning of suffering and the morality of war. Being sensitive to these aspects is essential when helping veterans find new spiritual guidance or integrate their combat experience into their religious system. It may include engaging chaplains, religious leaders or support groups for deeper spiritual reflection and support (Chen, 2022).
5	Attitude towards life and death	The experience of combat can significantly change veterans' attitudes toward life and death. They may become more cynical or begin to appreciate every moment more deeply, affecting their relationships and social contacts. Veterans often experience an increased awareness of mortality, which can lead them to risky behaviour or caution. These changes can affect their life decisions about work, family, and social interactions. An essential part of therapy is helping to find a balance between the awareness of mortality and the desire to live a whole life by activating veterans' social and professional roles (Maglione, 2022).

Conclusions and suggestions

Overall, understanding the essence of the term 'combat stress' which we interpret as a short-term, multi-level process of intense adaptive activity by a servicemember's body in response to the extreme conditions of the combat environment, accompanied by significant strain on biological and psychological self-regulation mechanisms, allows us to mitigate the impact and identify ways to prevent negative consequences.

The socio-psychological consequences of combat stress among servicemembers vary in intensity from mild to severe. As stress factors intensify, manifestations of combat stress may become more pronounced, leading to socio-psychological severe repercussions. Servicemembers may experience interpersonal relationship challenges, particularly within the family, which often result in confrontations and divorce. A lack of adequate social support and understanding from society can further exacerbate these problems, causing isolation and alienation.

In more severe stages, combat stress can lead to serious mental health disorders, such as post-traumatic stress disorder (PTSD), depression, and suicidal tendencies. The loss of comrades in arms and personal losses may cause profound emotional trauma, affecting servicemembers' ability to perform their duties and adapt to civilian life.

Particular attention should be paid to the socio-psychological aspects of combat stress, such as changes in public opinion and perceptions of the military's role in society. Public support and a positive attitude toward veterans can play a significant role in their rehabilitation and reintegration into civilian life. Conversely, negative attitudes or indifference can deepen feelings of isolation and hopelessness.

Thus, the socio-psychological consequences of combat stress are multifaceted and require a comprehensive approach to study and overcome. It is essential to ensure that servicemembers have access to qualified psychological assistance, develop support and rehabilitation programs, and raise public awareness of veterans' challenges. This will help reduce the negative consequences of combat stress and improve the quality of life for servicemembers and their families.

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LEGISLATIVE MEANS TO COMBAT INSTRUMENTALISED MIGRATION? – CASE FINLAND

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Abstract. *The aim of the study is to analyse, how to properly respond to instrumentalised migration by means of legislation – can the state invoke national security to respond to the phenomenon? Is it possible to deviate from international agreements by referring to “fundamental change of circumstances” (e.g. Article 62 of Vienna Convention on the Law of Treaties)? The article analyses, as an example, how Finland – a state governed by the Rule of Law – has tried to respond to hybrid operations, such as instrumentalised migration, through legislative means. These include, for example, changes to the Border Guard Act, the Emergency Powers Act and lastly, the Act to combat instrumentalised migration (constitutional enactment), which is in conflict with international obligations (the right to apply for asylum). The article represents legal research, combined with military sciences (military and operational law). First, the article problematizes briefly the question of the relationship between international law, EU law and national law, considering the topic. After this, Finland's national legislative measures to respond to hybrid operations will be presented. Lastly, conclusions shall be summarized. The research indicates that states are even more ready to appeal to their national interests, ignoring their international obligations. This poses a challenge to the sustainability of the international treaty system, requiring a new interpretation of the treaty texts – or changes to the treaties.*

Keywords: *hybrid operations, instrumentalised migration, international obligations, law, legislation, national security*

Introduction

This article examines the possible means of legislation to respond to hybrid operations, especially instrumentalised migration, which e.g. Russia and Belarus have targeted against the member states of the European Union (EU). At the end of 2023 Finland's eastern border became target of instrumentalised migration. The President of the European Commission, Ursula von der Leyen, described the phenomenon as a “hybrid attack” while visiting in Finland in April 2024. In a similar way, Poland, Latvia and Lithuania were affected by the phenomenon on their border with Belarus in 2021. Previously a similar phenomenon occurred in the eastern border of Finland in Lapland in 2015–2016.

<https://doi.org/10.17770/bsm.v5i10.8313>

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The research question/problem of this article is, whether states can on the grounds of national security enact laws that are (potentially) in conflict with international obligations? The article represents legal research, combined with military sciences. The main research method used is legal positivism. In the beginning of the article, sovereignty and national security from the perspectives of international law, EU law, and constitutional law are examined. After this, the article focuses on examining Finnish legislation: what kind of legislative solutions has Finland sought in order to ensure national and border security and to respond to hybrid operations, especially instrumentalised migration?

Research results indicate that states, in order to guarantee their national security, are ready to challenge the established interpretations when it comes to international agreements. For the sake of the sustainability of the international treaty system, international cooperation is required, both at the levels of international law and international politics.

The article is partly based on the author's ongoing (2023–2025) master's thesis in military sciences (military and operational law).

Sovereignty and National Security

The most significant characteristic of a State is its independence and self-determination – sovereignty. Sovereignty is related to the ideas of independence, i.e. external sovereignty and self-determination, i.e. internal sovereignty (Koskenniemi, 2007). Territorial sovereignty is a key pillar of the global legal order, manifested as an inviolable constitutional paradigm, enjoying utmost sanctity in the international legal order. In this sense, territorial sovereignty is indivisible and reflects the fact that "territory" is not only an attribute of state power, but a fundamental element of statehood: a state has power over its own territory and *is* at the same time its own territory (Kohl 2019). In international law, there are two indisputable doctrines concerning states: sovereignty as a form of law and the state's right to national security (Morris, 2020). The International Court of Justice (ICJ) has explicitly stated that it is "*quite obvious that a state has a legal interest in protecting its territory from any external harmful activity*" (*Nuclear Tests*, 1978).

When it comes to the law of the European Union, according to Article 4(2) of the Consolidated Version of the Treaty on European Union (TEU), national security remains solely as the responsibility of each member state. The Article is supplemented by Articles 36, 72 and 346 and 347 of the Consolidated Version of the Treaty on the Functioning of the European Union (TFEU), which partly safeguard the national security obligations of the member states, although they rather refer to the maintenance of public order

and the protection of internal security. However, they are important when defining the concept of national security in EU law. Even though under Article 4(2) TEU the Union does not have competence in the area of national security, the provision does not make Union law irrelevant in matters of national security. In the light of the jurisprudence of the Court Justice of the European Union (CJEU), when the state invokes national security, it must be able to demonstrate the factual need for the invocation (C-601/15).

With regard to what is expressed in the Article 4(2) TEU, the CJEU has also held in its jurisprudence that EU rules cannot be interpreted in such a way that they would prevent, for example, the armed forces of the member states from carrying out their tasks – this could cause harm to the preservation of the state's territorial integrity and the guarantee of national security (C-742/19). The CJEU has also considered that the objective of guaranteeing national security, read in the light of Article 4(2) TEU, may be hierarchically more important than the objective of a secondary right of the EU, possibly thus justifying measures that interfere with fundamental rights more seriously than measures that would justify some other objectives achievement (C-162/22 and C-140/20).

The General Court of the European Union (EGC) has stated that it is the responsibility of the member states to define their own key security interests and has considered this to be an essential freedom of the members states from the point of view of sovereignty, although member states are at the same time required to be able to justify and disclosure threats to their national security (T-26/01 and C-423/98; see also C-715/17, C-718/17 and C-719/17).

Union law must take due account the specific characteristics of each Member State, such as – for example – the state's geopolitical position, geographic location and historical context. These have also been recognized accordingly in the Commission's guidelines regarding the application of Article 346 TFEU, which contains a secrecy exemption and an armaments exemption. The CJEU has indeed shown a tendency to take into consideration the differences between member states and their use as a justification for measures at different levels to protect the same rights (C-742/19; C-384/93; C-3/95; see also Mikkola 2024). In the light of jurisprudence, however, the justifications and concrete dangers presented by the member state must therefore be quite significant. As such, it is *possible* that, for example, serious threats of hybrid operations could also meet the court's criteria.

When it comes to the European Convention on Human Rights (ECHR), The European Court of Human Rights (ECtHR) has stated that the concept of "national security" cannot be defined precisely or exhaustively, as it may be subject to many kinds of threats that are difficult to predict or define in advance. In the case of *Esbester v. United Kingdom* (1993), the court stated

that “many laws, which by their subject-matter require to be flexible, are inevitably couched in terms which are to a greater or lesser extent vague and whose interpretation and application are questions of practice.” For this reason, the court has considered that the clarification of the concept must primarily be left to national practice, and states are therefore left with quite a wide margin of discretion in matters related to national security. (See also *Al-Nashif v. Bulgaria*, 2001; *Kennedy v. United Kingdom*, 2010; *Leander v. Sweden*, 1987; *Konstantin Markin v. Russia*, 2012; *Moiseyev v. Russia*, 2008; *Ireland v. United Kingdom*, 1978; *Brannigan and McBride v. United Kingdom*, 1993.) The ECtHR, on the other hand, remains largely responsible for evaluating the legal basis, necessity and proportionality of the measures. (See *Janowiec and Others v. Russia*, 2013; *Klass and Others v. Germany*, 1978; *Handyside v. United Kingdom*, 1976).

The limitation clauses of the ECHR have been interpreted as a means of self-defence by the state against threats to the state functions. Such activities can include hostile military actions as well as various illegal harassment and influence efforts aimed at, among other things, undermining the functioning of the democratic system (see also Widlund, 2020). Such activity is also an interference in the internal affairs of another state (*domaine réservé*), constituting an infringement of sovereignty.

Whereas serious threats of hybrid operations could possibly serve as grounds for limitation in EU law (deviation from obligations) based on the jurisprudence of the CJEU, they would also at least be grounds for limitations in the context of the ECHR, and depending on the severity and extent of the impact (“scale and effects”) of the operations, also a derogation ground according to Article 15 of ECHR, i.e. deviating from contractual obligations in the event of a national emergency. Although the ECtHR has stated that the court has the competence to assess the existence of a state of emergency and thus considers it to be a legal matter *de jure*, the wide margin of discretion shows that the court considers the matter *de facto* a highly politicized issue (Honko, 2017). The ECtHR has rarely questioned states' views that the intervention has taken place for reasons related to national security. This is partly influenced by the fact that national security has been considered to be part of state sovereignty (*Bucur and Toma v. Romania*, 2013). For this reason, the concept has been defined loosely or openly in the national legislations of the member states, with concepts and terminologies also varying between member states (Honko, 2017).

Finnish legislation and recent legislative amendments

The Finnish legislation is based on the basic idea that different types of disruptions require and should be subject to different regulations. Thus, for

example, the seriousness of the threat and its possible effects, the interest to be protected, the urgency of the measures and the extent of their effects come up for assessment. Our crisis legislation – *Emergency Powers Act 2011* and *State of Defence Act 1991* – give powers to authorities only in those matters that are expressly regulated, at the same time setting the legal basis for managing crises. In this way, they can also be considered to be operational plan implementation tools at the same time. In Finland, legal preparedness is also part of the authorities’ preparedness obligations, according to Section 12 of the *Emergency Powers Act 2011*. For this purpose, legislative amendments have been made in Finland in order to prepare for different kind of possible hybrid operations – such as instrumentalised migration – and to ensure and maintain both national and border security.

Section 16 of the *Border Guard Act 2005* was amended already in the summer of 2022. According to Section 16, subsection 1, the Government may decide to close a border crossing point or restrict border crossing traffic for a fixed period or until further notice, if the closure or restriction is necessary in order to combat a severe threat for public order, national security or public health. According to the provisions of the law, a serious threat to public order could mean a situation where entering the country causes a significant increase in crime, organized crime or extremist activity, which manifests e.g. as an increase in the number of violence or serious crimes, terrorist attacks or similar acts, or various types of riots based on tensions between different population groups or tensions between a certain population group and the authorities. Extensive human trafficking related to immigration can also pose a serious threat to public order and security. The situations mentioned above can also pose a threat to national security at the same time. (HE 94/2022 vp.) The regulation was applied for the first time in November 2023 on the Finnish-Russian border, when the external borders were closed to protect national security due to instrumentalised migration.

The Emergency Powers Act 2011 was also amended in the summer of 2022 – a so-called “hybrid provision” was added to the law. After the law amendment, according to Section 3, subsection 1, point 6 b, a threat, action, event or the combined effect of these to the maintenance of border security or public order and security, as a result of which the functions necessary for the proper functioning of the society are substantially and extensively prevented or paralyzed, or in any other manner comparable in seriousness to these substantially endangers the ability of society to function or the survival of the population, constitutes a State of Emergency.

On 5th of July 2024, The Finnish Border Guard was granted new powers in the *Border Guard Act 2005* to carry out surveillance based on radio technology (*radio technical monitoring*), meaning the right to detect, locate, recognise, identify and monitor radio-frequency electromagnetic waves and

radio equipment by means of the properties of electromagnetic waves. This enables carrying out technical surveillance and surveillance based on radio technology in the vicinity of the national border, in the maritime area, on the coast, in airspace, at border crossing points and in their immediate vicinity, and in areas under the control of the Border Guard and in their immediate vicinity. Further it enables forming a real-time situational picture for the needs of the core tasks of the Border Guard, i.e. border surveillance and maintaining border security. At the same time, these national legislative amendments have been enacted to combat serious and organized crime, ensure national security and maintain public order and security.

On 16th of July, the President of the Republic approved the bill for the *Act on Temporary Measures to Combat Instrumentalised Migration 2024*. The act is what is called an exceptive act (*Constitutional Enactment*). The Finnish Constitution provides that exemptions from the constitution can be made if the issue is determined to be urgent by five-sixths of the members of parliament. The legislative proposal must then be approved by two-thirds of the voting members of parliament. These exceptive acts may be used to enact limited exceptions to the Constitution itself for compelling reasons only. The aim of the act is to ensure national security, improve border security and ensure that Finland has effective means at its disposal to combat instrumentalised migration, which is being used to put pressure on Finland. Finland's eastern border is the longest external border that both the EU and NATO have with Russia. It is therefore not only about the security of Finland, but the security of the entire Union and NATO as well.

If the act is applied, applications for international protection would not, apart from certain exceptions, be received in the area subject to the restriction, and instrumentalised migrants would be prevented from entering the country. A migrant who has already entered the country, would be removed without delay and instructed to travel to a place where applications for international protection are being received. Applying the act requires highly exceptional and pressing reasons. Doing so requires knowledge or a justified suspicion that a foreign state is attempting to influence Finland in a way that poses a serious threat to Finland's sovereignty and national security and no other means are sufficient to resolve the situation. A decision to apply the act may be made for up to one month at a time. It has been recognized that the law is in a "state of tension" with international obligations (PeVL 24/2024 vp). Views have also been expressed that the law violates both international human rights treaties, such as Convention Relating to the Status of Refugees (United Nations, 1951) and the law of the European Union, especially the EU Asylum Procedures Directive (Directive 2013/32/EU). On the other hand, e.g. the Finnish Ombudsman, the Chancellor of Justice of Finland and the Supreme

Administrative Court of Finland have stated in their opinions to the (draft) law that the jurisprudence of the European courts has not dealt with a situation completely similar to the instrumentalised migration referred to in the law (HE 53/2024 vp).

The latest legislative amendment, a new border procedure, which is in accordance with the EU Asylum Procedures Directive, was also added to the Finnish legislation in the *Aliens Act 2004* on 1 September 2024. The procedure will allow asylum applications submitted by persons who have already arrived in the country to be processed near the border if certain preconditions are met. The purpose of the border procedure is to enhance the examination of unfounded applications and the return of applicants whose application has been rejected. In addition, this will prevent secondary movements of asylum seekers to other EU countries.

Conclusions and suggestions

Studying and understanding security (and especially war) as a phenomenon is always connected to a specific temporal and cultural context. As Sun Tzu stated in his own time in *The Art of War*, just as water does not have a permanent form, war does not have permanent conditions either (Giles, 2000). As we strive to respond to the changes in our operating environment, our security thinking must be in a dynamic state. The world and our security environment have changed and are constantly in the process of change. This is inevitably reflected in the legislation as well, as can be seen from the previously presented legislative changes.

When it comes to legislative acts specifically designed to combat instrumentalised migration, similar kind of legislation has also been enacted not only in Finland, but in other European Union countries as well. Modern phenomena that threaten (national) security – especially when talking about hybrid threats – are not unambiguous and they cannot always be placed in any single, specific "compartment". At the same time, citizens' and societies' expectations towards authorities to combat various threats more and more effectively have grown. The primary task of the state is to protect its own citizens. As states protect their national security from contemporary security threats, while at the same time possibly deviating from their international obligations, the international legal treaty system is being challenged: national security, which is an integral part of sovereignty, can be difficult to fit with the wording of international agreements, especially in the era of hybrid operations.

Should – and could – international agreements be interpreted today in a different way from the established ones? According to the Vienna Convention on the Law of Treaties (VCLT), a party may not invoke the

provisions of its internal law as justification for its failure to perform a treaty (United Nations, 1969, art. 27). But is it possible to deviate from international agreements by referring to “fundamental change of circumstances”, as it is stated in the Article 62 of VCLT, in situations such as instrumentalised migration? When the Geneva and Hague Conventions were adopted, for example, no one knew such concepts as “hybrid operations” or thought of the possibility of such things as “instrumentalised migration” – the *weaponization of migrants*, as some have conceptualized the phenomenon. As Petty states, “where weaponized migration fits into the international law framework remains unsettled” (Petty, 2022). The same applies to the law of the European Union.

One could also speculate that the threshold of the U.N. Charter’s prohibition on the use of force might be fulfilled in case of instrumentalised migration through the sending of people, if it is by nature deliberate and sufficiently extensive to destabilize the receiving state's ability to manage internal security in its territory or to secure its territorial integrity (see e.g. *Fisheries Jurisdiction*, 1998). Such a situation could be the case when another state sends (“weaponizes”) a large number of people, equips them with the means of using force or incites them to violence in the territory of the receiving state. However, it must be noted that instrumentalised migration does not reach the level of the use of force in an instant (if at all), and its evaluation can be difficult, if not impossible even – and ultimately, it might be a political, not a judicial, decision.

As of now, instrumentalised migration is a matter of internal security – and a question of national security. Since it is a matter related to border security, in Finland the competent authority is the Border Guard, which, despite being militarily organized, is a civilian authority in peacetime – it is not part of the armed forces. In Finland, the legislation does not allow the use of armed forces in the situation. The Finnish Defense Forces may, however, give executive assistance (which does not include use of military force) to the Border Guard, in accordance with Section 79 of the *Border Guard Act 2005*.

If the tensions between international agreements and national legislations cannot be removed through interpretation, should the agreements be changed to reflect modern times, then? If so, in order to preserve the international treaty system, international cooperation is required, both at the levels of international law and international politics. In a globalized world, solutions must be sought together.

The inflexibility of laws could make them harmful at worst. Should thus fundamental rights and the principles of the Rule of Law be reinterpreted in the current social conditions? In nations governed by the Rule of Law this does not, and should not, mean that the law falls silent in times of crises.

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ETHICS EDUCATION OF UKRAINIAN BORDER GUARDS: CODE OF CONDUCT AND MORAL CHALLENGES OF WAR

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Abstract. *The article offers to consider the experience of teaching professional ethics to future Ukrainian border guard officers. The purpose of the article is: a) to analyse the Code of conduct of Ukrainian border guards; b) to determine the purpose and ethical basis of ethics education of Ukrainian border guards; c) to describe its features due to the moral challenges of the Russian-Ukrainian war (2014 –). The article concludes that: a) the peculiarity of the Code of Conduct for Ukrainian border guards is their focus on the formation of professional autonomy; b) the purpose of ethics education of Ukrainian border guards is to implement this Code of Conduct in the specific conditions of professional activity of the State Border Guard Service of Ukraine on the basis of modern ethical theories; c) the moral challenges of the Russian-Ukrainian war are reflected in the course of professional ethics for future Ukrainian border guard officers in the form of consideration of such issues of ethical theory as just and unjust wars, moral justifications for war, violence, as well as the identification and assimilation of moral aspects of the combat experience of Ukrainian border guards.*

Keywords: *border guards, code of conduct, ethics education, war, Ukraine.*

Introduction

The issue of ethics education of border guards is not often raised in academic circles. The experience of different countries in developing codes of conduct for border guards and finding ways to implement them in the specific conditions of their profession would greatly contribute to resolving this issue. The professional ethics training of future Ukrainian border guards is based on the Code of Conduct for employees whose functional responsibilities include border management. This Code of Conduct is used by Ukrainian border guards in their professional activities. During the Russian-Ukrainian war (2014 –), compliance with the Code takes on a new meaning – military. The moral challenges of the Russian-Ukrainian war (2014 –) also lead to changes in the course of professional ethics for the future Ukrainian border guard officers, namely, consideration of its issues in the context of



war. The purpose of the article is: a) to analyse the Code of conduct of Ukrainian border guards; b) to determine the purpose and ethical basis of ethics education of Ukrainian border guards; c) to describe its features due to the moral challenges of the Russian-Ukrainian war (2014 –).

The Code of Conduct for Ukrainian border guards

In their professional activities, Ukrainian border guards are guided by the Code of Conduct for employees whose functional responsibilities include border management (hereinafter referred to as the Code of Conduct). The norms of this Code are general and apply to military personnel, civil servants, employees of the Ministry of Internal Affairs, the Ministry of Foreign Affairs, the State Customs Service, the State Migration Service, the State Border Guard Service of Ukraine, whose functional duties include border management (Act, 2011).

When employees whose functional duties include border management are hired, they shall be acquainted with this Code and a note shall be made in their personal file. Compliance with the norms of this Code shall be taken into account when conducting an annual assessment, appraisal, enrolment in the personnel reserve, appointment to a new position, providing characteristics or recommendations. Employees shall take the necessary measures in accordance with the requirements set out in this Code.

The Code of Conduct provides for compliance with the following ethical values:

- service to the Ukrainian people,
- patriotism
- social justice, priority of human and civil rights,
- legality,
- efficiency
- transparency and openness,
- corporate identity,
- neutrality and impartiality,
- fairness.

The Code of Conduct also stipulates compliance with certain ethical principles, including :

- ethical rules of conduct for managers,
- restrictions on the authority use,
- restrictions on combining employment and other activities,
- restrictions on receiving gifts (donations),
- restrictions on the employment of close relatives,
- receiving instructions that contradict the law,
- use of information about the activities of public authorities,

- protection of employee rights,
- work with the public,
- presence and performance of work,
- determining the conflict of interest,
- settlement of conflicts of interest,
- prevention of violations of this Code.

The norms of this Code are in some ways consistent with the ethical values and principles of the national codes of conduct for the European Union's border guards. Many of them refer to respect for and protection of fundamental human rights and freedoms, equal treatment of people, integrity, confidentiality and respect for confidentiality, prohibition of torture and cruel or degrading treatment of people, image, and restraint in the use of force. Also, as in many EU countries, this Code is offered not only to border guards, but also to other military personnel, civil servants and employees involved in border management (Frontex, 2010).

The peculiarity of this Code of Conduct is its focus on professional autonomy. It does not simply provide the 'sum' of expert knowledge necessary for the daily performance of professional activities, but promotes loyalty to the profession, develops faith in the validity of one's own judgements, and increases sensitivity to unethical behaviour and misconduct. This is evidenced by the descriptions of the norms of this Code. Let us consider some of them.

Service to the Ukrainian people. For border guards, the oath to the Ukrainian people means not only a demonstration of ethical behaviour, but also the realisation that their service implies: loyalty to the Ukrainian people, the obligation to act in the interests of the state and defend national interests, affirming basic social values; conscious subordination of personal interests to public requirements and interests and state priorities; professional, conscientious performance of official duties in accordance with the Constitution of Ukraine, laws of Ukraine, other regulatory legal acts; respect for human dignity and humane treatment; understanding that the position held is a manifestation of the people's trust.

Social justice, priority of human and civil rights. Adherence to these ethical values requires border guards to constantly improve the organisation of their work on the basis of justice. By their actions and behaviour, they should strengthen the faith of citizens in the legitimacy of actions and decisions of the body in which they serve or work to ensure the inviolability of the state border and protect the sovereign rights of Ukraine. At the same time, border guards should avoid formalism in their work, especially when considering citizens' appeals; within the limits of their competence, they should facilitate the full and prompt resolution of issues raised by citizens.

Efficiency. The Code of Conduct motivates border guards to constantly work on improving their professional level, as well as to perform their duties with initiative, creativity and integrity.

Receiving orders that contradict the law. A border guard shall independently determine the legitimacy of the orders given by his/her superiors and the possible damage that will be caused to the interests of society, a person, or the state in case of fulfilment of an unlawful order. In the event of receiving an order (written or oral) that contradicts the current legislation of Ukraine, border guards are obliged to immediately notify the official who gave the order in writing, and in case of insistence on its execution - to inform a higher-ranking person.

Border guards are obliged to prevent unethical behaviour of subordinate personnel by organising systematic work on the development of their professional ethics and monitoring compliance with the norms of this Code.

This Code is part of the morale of Ukrainian border guards. It plays an important role in ensuring the continuity of moral development in the State Border Guard Service of Ukraine and maintaining the order and sustainability of its moral values, norms and principles. The value of this Code lies in motivating border guards to behave ethically and deterring them from committing so-called 'crimes of obedience'. In doing so, it helps them to resolve the moral dilemma of what is really right: the instructions of their superiors or their own conscience, their own interest or the public interest. In this case, the border guards undergo a professional integrity test. Obviously, these tests begin during the training.

Ethics education for Ukrainian border guards

Not much has been written about the ethics that should guide border guards. The only exceptions are publications authored or commissioned by Frontex. We agree with Dr Peter Olsthoorn and Michelle Schut that these publications are more for practitioners than for academic audiences (Olsthoorn & Schut, 2018).

The Bohdan Khmelnytskyi National Academy of the State Border Guard Service of Ukraine (hereinafter referred to as the National Academy) provides border guard training in the higher education system of Ukraine. In the ethics education of the National Academy's cadets, we focus on their implementation of the Code of Conduct for employees whose functional responsibilities include border management in the specific conditions of the professional activities of the State Border Guard Service of Ukraine. For us, this means creating the conditions for professional autonomy. We are trying

to achieve this goal, in particular, in the course of teaching the discipline 'Professional Ethics'.

Ethics education at the State Border Guard Service of Ukraine is not aimed at regulating the behaviour of cadets. It aims to develop in cadets the ability to maximise their moral orientation and take an independent position in making moral decisions. We look for the basis for this in modern ethical theories. Without pretending to provide an exhaustive description of ethics education for future Ukrainian border guard officers, we will focus on its main points.

Autonomy of morality. We appeal to the idea that morality is a certain way of acting. In searching for the empirical foundations of ethical values, we pay tribute to modern ethics, since it is this ethics that denies the metaphysical nature of morality. From the perspective of modern ethics, morality is not something mysterious and incomprehensible to a person, but only experience - the canon of the public good - that helps him or her to orientate themselves in their actions and deeds. From this perspective, the cadets begin to realise that a person has the right and duty to construct his or her own moral ideal, to change and improve it as necessary. At the same time, we emphasise to them that the creation of moral values is not some arbitrary and unreasonable figment of human thought, but rather a necessary and logical process of distinguishing between right and wrong. Therefore, the creation of ethical values requires knowledge and intuition. We believe this will help cadets in the future, especially when it comes to their moral behaviour at the border.

The principle of propriety. We explain to the cadets that ethics cannot be expected to provide general and unconditional rules of moral behaviour, because the situations in which people live and act are, if not unique, then still variable. Accepting the thesis of the relativity and subjectivity of the moral behaviour rules, we do not, however, exclude their generality. The repeatability of individual rules leads to this position. It is experience, based on the causal relationships and results of moral actions, that helps a person to learn repeatedly appropriate actions and, accordingly, to formulate certain general rules of moral behaviour. We point out to the cadets that it is not known whether the morality of people who follow general rules is better than the morality of those who create their own rules of behaviour every time. Even if the general rules have certain limitations, they are useful both for those who do not yet know how to create their own moral rules for themselves and for those who need help in creating them. In this way, cadets understand that reality is changing, and the moral behaviour rules are changing with it. The principle of moral behaviour is the principle of righteousness. If people are capable of learning and implementing positive values, they do not need guidance from above, but only assistance in finding

the right action. Extreme conditions are obviously one of the professional tests of integrity for border guards.

Virtue ethics. The purpose of our professional ethics course is to cultivate ethical virtues, not to impose them. The main issue of border guard ethics, in our opinion, is how to carry out your service with dignity. After all, only decent behaviour deserves respect. In this regard, we try to work with the cadets to find out the signs of decent behaviour. Firstly, heroes who endure physical pain and other suffering with great effort and do not lose heart, always remaining true to themselves, deserve respect. Secondly, people who are selfless and good to others deserve respect. Thirdly, honesty is valued most of all as truthfulness and fidelity to the word. Fourth, people who are able to control themselves are valued. Fifth, people who are noble are respected. After that, we ask the cadets to find the opposites of decent human behaviour. They contrast courage with cowardice, kindness with selfishness and cruelty, truthfulness with deceitfulness, self-control with lack of will, and nobility with lowliness. In the process of finding these opposites, we draw the cadets' attention to the fact that their profession should not be about breaking records for decent behaviour, but about not calling into question the professionalism of border guards. In this context, it becomes clear to them that it is impossible to learn border guard ethics as an established discipline: the voice of one's own conscience cannot replace someone else's. Among the virtues desirable for border guards, we also discuss with the cadets the following: perfectionist demands, internal discipline, tolerance, criticism, resilience, responsibility, etc.

Modern ethical theories such as the ethics of responsibility and the ethics of discourse also seem to be fruitful for the formation of the moral character of future border guard officers.

The ethics of responsibility seeks to ensure that every step a person takes that is necessary to fulfil the requirements of goodness and justice, he or she thinks about the effect of this step, as if this step had already been taken. Therefore, the process of making decisions and choosing certain options for action is becoming crucial in people's lives. In the context of advanced technologies, a single mistake by a particular person can lead to man-made disasters or generate the so-called domino effect, when the initial cause of a failure can generate a chain of consequences far greater in scale. All this contributes to the formation of a mindset in cadets in which they feel involved in general processes and are ready to take actions aimed at localising their negative consequences.

Discourse ethics involves free and responsible communication between two or more individuals. The requirement of 'intersubjective understanding' is used to justify the ethical norms of such communication. The merit of communicative ethics is its reasoned opposition to widespread attempts to

relativise ethics and defend the principles of rationality. This is also applied in the border guard service, where the procedure of discourse can be seen as the basis of bilateral symmetrical communication.

Ethics education of Border Guards and Moral Challenges of the Russian-Ukrainian War (2014 –)

The moral challenges of the Russian-Ukrainian war (2014 –) led to the consideration of such issues of ethical theory as just and unjust wars, moral justifications for war, violence, as well as the identification and assimilation of moral aspects of the combat experience of Ukrainian border guards in the professional ethics course.

In the process of introducing the theories of just and unjust wars, we draw the cadets' attention to the fact that an armed aggression is illegal. Such a war is not against a single nation, it is against humanity, because humanity is trying to live in peace. Such a war has no boundaries in evil. It can only be resisted together. It is no coincidence that Michael Walzer emphasises that aggression is a crime against society as a whole, so the victim of aggression defends not only himself, he fights in the name of society. States can rightfully join the victim's resistance against the aggressor. They have the right not only to repel the aggressor's attack, but also to punish it: 'Someone must be responsible, for someone decided to break the peace of the society of states. No war [...] can be just on both sides' (Walzer, 1977).

When considering the question of *moral justifications for war*, we analyse the problem of moral distortion, namely the hypocrisy of those who fight. By hypocrisy, we mean the pretence of truthfulness, but in reality, the concern for self-interest. We emphasise that this hypocrisy should be concerned not so much with the lies of the warring parties as with the self-deception that arises from their inability to see the difference between the selfish and the moral good. In the context of political manipulation, hypocrisy is impossible without self-deception. Today, political technologies are aimed at deceiving the majority. Bots, trolls and fake news factories impose a reality on people in which they tend to pass off political lies as their own judgements and beliefs. This gives rise to the illusion that political lies are reality. In such a reality, the ability to make rational judgements is lost. War is peace, and peace is war. Hypocrisy leads to moral relativism. This is especially dangerous for history. One nation can use history to legitimise its political ideas (Honcharenko, 2024).

We consider *violence* in the context of concept definition, the lack of moral sanctions for violence, forms of limiting violence and the problem of attitudes towards violence.

It is also important to familiarise cadets with examples of moral behaviour, moral decisions and actions of Ukrainian border guards in the Russian-Ukrainian war (2014 -). In this sense, the Code of Conduct takes on a new meaning – a military one. Its interpretation from the perspective of militarisation is primarily facilitated by the experiences of teachers and cadets of the National Academy who became combatants, interviews of border guards about military operations and military captivity (Yurchak, 2024), military diaries of border guards (Subotina, 2024), as well as memoirs of their colleagues.

Conclusions

The peculiarity of the Code of Conduct for Ukrainian border guards is its focus on the formation of professional autonomy. The purpose of ethics education of Ukrainian border guards is to implement this Code of Conduct in the specific conditions of professional activity of the State Border Guard Service of Ukraine on the basis of modern ethical theories. The moral challenges of the Russian-Ukrainian war are reflected in the ethics education of Ukrainian border guards in the form of consideration of such issues of ethical theory as just and unjust wars, moral justifications for war, violence, as well as the identification and assimilation of moral aspects of the combat experience of Ukrainian border guards.

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STATIONARY UNMANNED AERIAL VEHICLE COUNTERMEASURE DEVICES: PRACTICAL ASPECTS OF THEIR APPLICATION

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Abstract. *The aim of this study is to investigate the limitations of using unmanned aerial vehicles (UAVs), to identify the legal and practical aspects of countermeasures, and to find the most suitable technical solutions for the State Border Guard operations. To achieve this objective, the following tasks were set: to examine the regulatory framework related to the use of UAVs, to identify the legal limitations of UAV usage; to investigate practical examples within the State Border Guard operations where technical solutions for combating UAVs were necessary; to describe the UAV countermeasure devices available on the market, comparing them with solutions already in use in Latvia; to propose potential pathways for developing the technical base in the field of UAV countermeasure devices. To accomplish these tasks, the following research methods were applied: the monographic method, document analysis, the logical-constructive method, and surveys. The structure of the work consists of four chapters: the first chapter examines the relevant legal regulations, the second chapter explores practical examples within the State Border Guard operations where UAVs have been used unlawfully, the third chapter analyzes the technical parameters and operating principles of UAV countermeasure devices, and the fourth chapter investigates the technical solutions of UAV countermeasure devices available on the market. The study concludes with a section of conclusions and proposals.*

Keywords: *flight restriction zone, special means, security, State border guard, unmanned aerial vehicles (UAVs).*

Introduction

For many years, unmanned aerial vehicles (hereinafter referred to as UAVs) have been used not only in the military but also in civilian life: for photography and videography, sports events, and entertainment. Although this technology appears to be peaceful, it can also be used for illegal activities. UAVs can be employed for reconnaissance - observing the routes and schedules of border guard patrols - as well as for transporting contraband across national borders. Moreover, considering the specific operational context of the State Border Guard (hereinafter referred to as SBG) and the current political situation, where the Russian Federation positions itself against NATO and the EU, of which Latvia is a member, it is crucial for the SBG to monitor both the trends and modus operandi of illegal activities as well as military threats.



Therefore, countering the illegal use of UAVs is a field that should be prioritized to enhance the effective performance of the SBG's duties and to strengthen national security overall. This study aims to improve the SBG's capacity to counter UAVs, focusing on one component of this capacity: stationary UAV countermeasure devices and their legal and practical aspects of application. The period of research is from 2021 till 2022 during which SBG officers observed a rising number of unauthorized UAV flights. The aim of this study is to investigate the limitations of using UAVs, to identify the legal and practical aspects of countermeasures, and to find the most suitable technical solutions for the SBG operations. To achieve this objective, the following tasks were set: to examine the regulatory framework related to the use of UAVs, to identify the legal limitations of UAV usage; to investigate practical examples within the SBG operations where technical solutions for combating UAVs were necessary; to describe the UAV countermeasure devices available on the market, comparing them with solutions already in use in Latvia; to propose potential pathways for developing the technical base in the field of UAV countermeasure devices. To accomplish these tasks, the following research methods were applied: the monographic method, document analysis, the logical-constructive method, and surveys.

1. LEGAL BASIS FOR COUNTERING UNMANNED AERIAL VEHICLES

Given the increasing popularity and accessibility of unmanned aerial vehicles to a broad user base, it is crucial for the state to limit UAV flights in areas where they pose a physical safety threat, such as near airports, or where they could gather sensitive information, such as State Border Guard facilities. This chapter focuses on the regulatory framework of the Republic of Latvia, which imposes restrictions and obligations on individuals regarding UAV usage.

Firstly, the author examines the Commission Implementing Regulation (EU) 2019/947 of 24 May 2019 on the rules and procedures for the operation of unmanned aircraft. This regulation aims to establish rules for the operation of unmanned aerial vehicles and the activities of individuals and organizations involved in UAV operations. The regulation sets out general criteria for UAV operation, including flight altitude, the responsibilities of remote pilots, and examination criteria for pilots (EU, 2019). All national regulations are made to correspond this EU legal act.

Further, it is essential to review the Cabinet of Ministers Regulations No. 429 of 29 June 2021, "Rules on Unmanned Aircraft Flights," developed pursuant to Article 117.6, paragraphs two and three of the Aviation Law. These regulations prescribe the rules for UAV flights in the airspace of the Republic of Latvia, criteria and procedures for facilitating, restricting, and

prohibiting UAV flights, and procedures for the circulation and availability of information. According to these regulations, the State Border Guard has the right to propose the establishment of a geographic zone for UAV systems, changes in the conditions of UAV system geographic zones above its infrastructure facilities and within a 50-meter radius, as well as above event locations related to national border security (Cabinet of Ministers of Latvia, 2021).

Additionally, the provisions of the State Border Guard Law concerning UAV countermeasures must be considered. According to Article 16, paragraph 1, point 7 of the law, a border guard has the right to use special means to intercept, land, or destroy a remote or autonomously controlled device if it threatens or interferes with the execution of the Border Guard's duties or is suspected of being used for illegal border crossing or unauthorized transportation of persons or goods across the border.

However, in this context, it is necessary to examine another regulatory document - the Cabinet of Ministers Regulations No. 55 of 18 January 2011, "Regulations on the Types and Use of Special Means." Analyzing these regulations reveals a significant problem in the practical implementation of Article 16 of the State Border Guard Law: the regulations do not specify any special means designed for the early detection or forced landing (neutralization) of UAVs. Moreover, Article 17, paragraph 2, point 8 of the State Border Guard Law allows the use of a service firearm to intercept, land, or destroy a remote or autonomously controlled device. From a practical standpoint, however, hitting a fast-flying target at high altitude with standard service firearms (pistols or assault rifles) is extremely difficult and dangerous, as it is impossible to predict the bullet's fall point, posing a risk to individuals within the bullet's range (e.g., the G36 assault rifle bullet can travel over 2.8 km, depending on the barrel elevation angle).

Therefore, the most effective way to counter UAVs is through special means for their early detection and/or neutralization, which will be examined later in this paper.

From the above, it is clear that the State Border Guard has a wide range of legal instruments to restrict UAV usage that could threaten the performance of its functions. However, these legal instruments do not provide specific technical solutions for countering UAVs. Consequently, the author proposes that the State Border Guard initiate amendments to the Cabinet of Ministers Regulations No. 55 of 18 January 2011, "Regulations on the Types and Use of Special Means." These amendments should include new types of special means: "UAV detection devices" and "UAV forced landing devices," and specify their use with the following formulations: "UAV detection devices are used to monitor airspace and prevent unauthorized use of UAVs above the infrastructure facilities owned or possessed by the

Internal Security Bureau, the State Police, and the State Border Guard, and within a 50-meter horizontal plane from them, as well as in UAS geographic zones initiated by these institutions" and "UAV forced landing devices are used to terminate unauthorized use of UAVs above the infrastructure facilities owned or possessed by the Internal Security Bureau, the State Police, and the State Border Guard, and within a 50-meter horizontal plane from them, as well as in UAS geographic zones initiated by these institutions." These formulations would align with those specified in the Cabinet of Ministers Regulations No. 429 of 29 June 2021, "Rules on Unmanned Aircraft Flights," and would allow the State Border Guard to implement the aforementioned special means for UAV detection and neutralization.

2. Practical Justification for Countering Drones in the State Border Guard

From the previous chapter, it can be inferred that there are restrictions on UAV flights over the infrastructure of the State Border Guard. Current chapter examines practical examples demonstrating the increasing popularity of UAVs and investigates cases on the border of the Republic of Latvia where UAV operation restrictions were violated, leading State Border Guard officers to impose penalties on UAV operators. This study covers the years 2021 and 2022, during which State Border Guard officers observed a rising number of UAV flights.

According to information compiled by the author, in 2021, the State Border Guard received several signals regarding unauthorized UAV flights in the border area or at the state border in the Viļaka, Ludza, and Daugavpils districts, in 2022, even more similar cases were identified. It is essential to note that the reasons for these signals were according to activities of neighboring states, probable illegal activities and activities of civilian inhabitants that had no illegal intentions. Unfortunately, the author cannot expose all information on mentioned cases due to restricted access to this information.

Nevertheless, in addition to the previous information, a specific case of UAV use for smuggling goods across the state border should be mentioned. This case, which occurred in August 2021, is described in a study by Samuel Goudard, a Category 2 expert of the Frontex Agency's Permanent Corps. In this case, a large UAV was used to transport smuggled goods (cigarettes) across the state border between the Republic of Latvia and the Russian Federation (Goudard, 2021). In described case the Latvian Border Guard lacked any special means for UAV detection or neutralization, and the use of a service weapon in night conditions over long distances is neither safe nor practically feasible and the violator was not detained.

In addition to illegal activities involving UAVs, there is a more serious threat, namely potential military threats from neighboring countries that are not NATO members and thus not military allies of the Republic of Latvia—namely, the Russian Federation and the Republic of Belarus.

Currently, reconnaissance and monitoring of Latvian authorities and National Armed Forces activities can reasonably be considered the most significant threat from the Russian Federation and the Republic of Belarus. The validity of such threats can be proven by current situation in combat zone in Ukraine and, historically, considering various military exercises conducted by Russian Federation and the aircraft, including UAVs, used in those exercises. For example, a media source review reveals that more than 1,000 aircraft, including UAVs, were used in the Vostok-2018 exercises (the Guardian, 2018).

Additionally, the recent case of Russian battle UAV violating Latvian airspace should be mentioned. Thus, Latvian Ministry of Defense in its press-release stated that on 7th of September, 2024, a combat UAV that is used to perform so called suicide attacks, entered Latvian airspace from the territory of Belarus, crossed eastern part of Latvia and crashed in Gaigalava parish. Latvian Ministry of Defense states that the UAV lost its control during large scale attack on Ukraine (Ministry of Defense of the Republic of Latvia, 2024). This case should be viewed as a severe violation of international legislation and as a considerable threat on Latvian security.

Enhancing the capability to detect military threats within the State Border Guard can be related to the 2020 National Defense Concept, which states that Latvia's early warning systems must be improved to minimize the risk of a sudden military threat. These early warning systems must integrate the systems and infrastructure of the State Border Guard (the Parliament of the Republic of Latvia, 2020). Therefore, the introduction of UAV detection systems in the State Border Guard would not only enhance the agency's capacity but also improve the overall security of the Republic of Latvia.

Thus, it must be acknowledged that the level of various threats is sufficiently high, but the means available to the State Border Guard cannot improve the situation regarding unauthorized UAV use. The author of this study believes that the only way to improve the statistics on detecting unauthorized UAV operations and to prevent neighboring authorities from secretly using UAVs is by introducing technical means capable of electronically detecting and/or forcibly landing UAVs.

3. General Characteristics of Stationary Anti-Drone Systems

As previously noted, the implementation of countermeasures against drones is critical for the effective performance of the State Border Guard's

functions. This chapter examines the types, operational principles of stationary anti-drone systems to facilitate the potential acquisition of such systems for the State Border Guard.

A significant nuance that distinguishes technical specifications for countering drone threats at the state border from other areas, such as airport security or the protection of military installations, is the overall area of the protected object. According to information available in the Electronic Drone Browser, the flight restriction zone over Riga Airport (EVX11 zone) is approximately 54 km², while the zone over the headquarters of the National Guard 3rd Latgale Brigade and the 32nd Infantry Battalion in Rezekne (EVR RPAS NBS33 zone) is approximately 3.5 km². In comparison, the zone over the Latvian-Russian and Latvian-Belarusian state borders (EVR17 zone) is 407 km long and its width ranges from 3 to 6 km, providing at least 1221 km² of area (Latvijas Gaisa Satiksme, 2022) to be covered by anti-drone systems. Protecting only State Border Guard infrastructure (e.g., border guard stations or territorial units) from drone surveillance would not be efficient since the majority of unauthorized drone use cases have been detected on the "green" border.

Furthermore, the use of only portable anti-drone systems would be inadequate for such large areas due to their significant weight, dimensions, and technical limitations. Therefore, it is concluded that stationary anti-drone systems are the most effective means for the State Border Guard to counter drone threats.

General information about stationary anti-drone systems reveals that drones can be detected using various technical solutions: radio frequency analyzers, acoustic sensors, optical sensors, and radars. Radio frequency detectors and analyzers are easier to install but do not provide a 100% guarantee of drone detection, as the control frequency can be encrypted or otherwise protected (e.g., military-grade drones or pre-programmed drone flights). On the other hand, installing radars, which offer a higher probability of detection, involves more bureaucratic obstacles and higher maintenance costs (ROBIN Radar Systems, 2022).

Studies suggest that the most effective method for drone detection is through radio frequency analyzers. This is supported by the fact that industrially produced drones use specific radio frequency bands (2.4 GHz, 5.8 GHz, or 433 MHz), which significantly simplifies detection and location determination (Hindle, 2017). Therefore, radio frequency analyzers are deemed most suitable for the State Border Guard's needs, as it is reasonable to assume that most illegal activities involve commercially produced drones.

Once a drone is detected, it is necessary to intercept it to prevent its use for illegal activities. There are two primary methods for forced drone landing: disrupting the drone's communication with its operator and/or GPS

system, or physically destroying the drone. The latter is considered a last resort due to the additional risk of collateral damage. Consequently, devices that jam or disrupt the drone's radio and/or GPS signals are deemed most appropriate for the State Border Guard's tasks.

4. Potential Solutions for Stationary Anti-Drone Systems in State Border Guard Operations

From the information compiled in the previous chapter, it is evident that there is a wide range of stationary anti-drone systems, each with its own advantages and disadvantages. These can be mitigated by combining different types of equipment into a single system, a strategy that is common in the security systems market. The author has surveyed the range of available solutions and identified that the companies "SKYLOCK" and "AARONIA" offer systems specifically designed for border surveillance needs. This chapter delves into the technical specifications of these companies' systems.

"SKYLOCK" is an Israeli company specializing in the development and production of anti-drone technologies, including detection, identification, and neutralization equipment. According to the manufacturer, the company creates modular systems that provide multi-level protection by combining various anti-drone devices in a single system. This ensures protection from unauthorized drone flights for critical infrastructure, airports, military bases, and mass events. "SKYLOCK" offers solutions not only to private companies but also to government and municipal institutions (SKYLOCK, 2022).

"SKYLOCK" offers a system specifically designed for protecting national borders from unauthorized drone flights in restricted or prohibited areas. According to information on the manufacturer's website, the system includes components such as radars, radio frequency detectors, jammers, and disruptors, allowing it to autonomously counter drones (SKYLOCK, 2022).

Similarly, "AARONIA" is a German company specializing in the production of measuring instruments, tracking, and monitoring technologies. The company's anti-drone equipment is described as highly accurate, intelligent, and wide-spectrum with a large operational radius. It is claimed that "AARONIA" developed drone detection system "AARTOS," which has evolved to its sixth generation by 2019 (AARONIA, 2022). All "AARONIA" equipment is manufactured in Germany, which, according to the author, could simplify and reduce logistics costs if these systems were procured for the State Border Guard.

Like "SKYLOCK," "AARONIA" also offers a system specifically designed to protect national borders from unauthorized drone flights in restricted or prohibited areas. According to information on the manufacturer's website,

the "AARTOS" system can be adapted for border protection, offering a large detection radius and high precision, thereby requiring a minimal number of devices for effective operation. The manufacturer emphasizes that the "AARTOS" system is capable of covering large surveillance areas, making it particularly suitable for border monitoring functions. Publicly available information indicates that the latest generation "AARTOS" system provides the following technical solutions: it can analyze a wide radio frequency spectrum, detecting up to 99% of commercially produced drones (including future models), determine both the drone's and operator's location, and has an operational radius of up to 50 km per workstation. Additionally, the system includes radio frequency jamming sensors with a range of up to 10 km (AARONIA, 2022).

In conclusion, based on the above information, the author believes that the anti-drone systems offered by "SKYLOCK" and "AARONIA" are equally suitable for the State Border Guard's operations. Both systems are versatile, providing not only detection but also neutralization capabilities. This solution enables the quick identification and termination of unauthorized drone flights over State Border Guard infrastructure and/or within the EVR17 flight restriction zone. Furthermore, a modular solution facilitates procurement, logistics, and installation processes by eliminating the need for separate detection and neutralization equipment. Additionally, training personnel on a single, unified system will significantly reduce training costs. The universal nature of both systems also favors lower maintenance costs, as separate contracts for detection and neutralization system maintenance will not be necessary. Unfortunately, without an official procurement process, the author cannot determine the exact list of components or provide estimated costs for system installation, personnel training, and maintenance. However, the author proposes that the technical solutions from the aforementioned manufacturers would be highly beneficial for the State Border Guard in the realm of drone countermeasures.

Conclusions and suggestions

Completing the current research, the author has analyzed appropriate legal regulation, made case study that suggests the necessity of development in the field of drone countermeasures in State Border Guard and has studied technical solutions in the sphere. After making current research, the author has made following conclusions:

1. Cabinet of Ministers Regulations No. 55 of 18 January 2011, "Regulations on the Types and Use of Special Means" does not identify any special mean that is specified for drone countermeasures.
2. There were stated several cases of unallowed UAVs usage within the period of research in the border surveillance districts in Latvia and one

case of an evident military threat violating Latvian airspace with an armed UAV.

3. The stationary anti-drone systems are classified as detection devices and interception devices. The author states that most effective way of drone-countermeasures is the combination of both devices in one system.
4. "SKYLOCK" and "AARONIA" manufacturers provides technical solutions that are useful for border surveillance sphere. These solutions combine several UAV detection devices and UAV interception devices and provide large range capability, that could cover whole EVR 17 flight restriction zone and prevent unauthorized UAV flights within this zone.

Based on previous conclusions, the author of the current article makes following suggestions:

1. State Border Guard initiate amendments to the Cabinet of Ministers Regulations No. 55 of 18 January 2011, "Regulations on the Types and Use of Special Means." These amendments should include new types of special means: "UAV detection devices" and "UAV forced landing devices," and specify their use with the following formulations: "UAV detection devices are used to monitor airspace and prevent unauthorized use of UAVs above the infrastructure facilities owned or possessed by the Internal Security Bureau, the State Police, and the State Border Guard, and within a 50-meter horizontal plane from them, as well as in UAS geographic zones initiated by these institutions" and "UAV forced landing devices are used to terminate unauthorized use of UAVs above the infrastructure facilities owned or possessed by the Internal Security Bureau, the State Police, and the State Border Guard, and within a 50-meter horizontal plane from them, as well as in UAS geographic zones initiated by these institutions." These formulations would align with those specified in the Cabinet of Ministers Regulations No. 429 of 29 June 2021, "Rules on Unmanned Aircraft Flights," and would allow the State Border Guard to implement the aforementioned special means for UAV detection and neutralization.
2. Within perspective competitive proposal procedure in anti-drone system purchase, the State Border Guard should pay attention to "SKYLOCK" and "AARONIA" manufactured systems that are created specifically for border surveillance tasks. These systems combine several UAV detection devices and UAV interception devices and provide large range capability, that could cover whole EVR 17 flight restriction zone and prevent unauthorized UAV flights within this zone.

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PROBLEMS OF COMBATING MONEY LAUNDERING IN THE STATE BORDER GUARD

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Abstract. *Money laundering is one of the offences included in a list of ten crimes (known as "Eurocrimes") on which the European Union will focus most of its attention. In this article, the author reviews the definitions of the term "money laundering", describes the competence of law enforcement institutions combating money laundering, including the one of the State Border Guard in cases when money laundering has been detected, analyses relevant statistical data and defines the problems of combating money laundering in the State Border Guard. The aim of the study is to analyse the concept of money laundering, to identify law enforcement institutions that combat money laundering, to look at possible problems faced by the State Border Guard in combating money laundering. The object of the study is money laundering, the subject of the study - problems of combating money laundering in the State Border Guard. The methods used in the study are: comparative method, semantic method, legal analysis method.*

Keywords: *law enforcement institution, money laundering, prevention, property, State Border Guard, to combat.*

Introduction

The fight against money laundering in the Republic of Latvia was launched on 18 December 1997, when the Law on the Prevention of Money Laundering was adopted. With the entry into force of the Law, the Anti-Money Laundering Service (the Control Service) was set up. On 17 July 2008 a new law, the "Law on Prevention of Money Laundering and Terrorist Financing", replacing the previous law, was adopted. Due to the amendments to the Law on the Prevention of Money Laundering and Terrorist Financing, adopted on 13 June 2019, the Control Service was assigned a new name - the Financial Intelligence Service (hereinafter referred to as the "FIS").

The criminalization of money laundering in Latvia took place in order to fulfil Latvia's international obligation to determine responsibility for such offenses (Latvijas Republikas Senāta Kriminālietu departamenta lēmums, 12.03.2024., Lēmums lieta Nr. 15830111509, SKK-50/2024).

Currently criminal liability for money laundering is defined in Section 195 of the Criminal Law.

The selected topic is very topical, especially for the representatives of certain professions, who fight against money laundering during their daily professional duties. The topicality of the topic is also confirmed by the fact that the criminal offense - money laundering is included in the list of ten



criminal offenses (so-called "eurocrimes"), to the fighting against which the European Union pays the greatest attention (Komisijas paziņojums Eiropas Parlamentam, Padomei, Eiropas ekonomikas un sociālo lietu komitejai un Reģionu komitejai. *Ceļā uz ES kriminālpolitiku: ES politikas efektīvas īstenošanas nodrošināšana ar krimināltiesību palīdzību*).

Definition of money laundering

In order for law enforcement authorities to be able to combat money laundering qualitatively, it is necessary to clarify the meaning of the definition of the entire term. Section 195 of the Criminal Law states: "For a person who commits laundering of criminally acquired financial resources or other property, the applicable punishment is the deprivation of liberty for a period of up to four years or temporary deprivation of liberty, or probationary supervision, or community service, or fine, with or without confiscation of property" (Krimināllikums, 1998.).

In order to apply the above-mentioned Section correctly, it is significantly to clarify the meaning of the words: "funds", "financial resources", "property", "property" "legalisation".

Section 1 of the Law on Prevention of Money Laundering and Financing of Terrorism and Proliferation states that "funds" means financial resources or other tangible or intangible, movable or immovable property. It goes on to explain the meaning of the word "financial resources" as financial instruments or means of payment (in the form of cash or non-cash resources) held by a person, documents (in hard copy or electronic form) in the ownership or possession of a person that give the right to gain benefit from them, as well as precious metals in the ownership or possession of a person (Noziedzīgi iegūtu līdzekļu legalizācijas un terorisma un proliferācijas finansēšanas novēršanas likums, 2008.).

The examples of practice examined show that, of these financial instruments, the most frequently used as an object of laundering is non-cash money, defined in Section 1(5) of the Financial Collateral Law of 24 April 2005 as money (except banknotes and coins) credited to an account in any currency (also all types of deposits) (Liholaja, 2022).

Jānis Kārklīš and Jānis Rozenbergs express the opinion that in legal science the term "non- cash " is understood as financial resources in a bank account, and the presence of non-cash money in a bank account corresponds to the term "deposit", which is explained in Section 1(6) of the Law on Credit Institutions of 5 October 1995 as the keeping of funds in a credit institution account for a fixed or indefinite period (Liholaja, 2022).

The term "proceeds of crime" means the term "property obtained by crime" as used in the Criminal Law (Noziedzīgi iegūtu līdzekļu legalizācijas

un terorisma un proliferācijas finansēšanas novēršanas likums, 2008). Moreover, criminally obtained funds may be property of any kind, whether corporeal or incorporeal, movable or immovable (Latvijas Republikas Senāta Krimināllietu departamenta 27.03.2020. lēmums lieta Nr. 15830008614, SKK-58/2020).

The definition of "property" is also found in Article 3 of Directive 2015/849 of the European Parliament and of the Council on the prevention of the use of the financial system for the purpose of money laundering or terrorist financing, and includes assets of any kind, whether corporeal or incorporeal, movable or immovable, tangible or intangible, and legal documents or instruments in any form including electronic or digital, evidencing title to or an interest in such assets (Eiropas Parlamenta un Padomes direktīva 2015/849 par to, lai nepieļautu finanšu sistēmas izmantošanu nelikumīgi iegūtu līdzekļu legalizēšanai vai teroristu finansēšanai).

Criminally acquired property is any economic benefit which has come into the ownership or possession of a person as a direct or indirect result of committing a criminal offence. (Krimināllikums, 1998).

Legalisation - authorisation of the activity of an organisation, recognition of its legality, giving legal force to a legal act, activity (Jakubaņecs, 2001).

The FIS defines money laundering as activities carried out with criminally acquired property with the aim of creating a false impression on the part of third parties as to the origin of the property. The financial system is used to create the impression of the legitimate origin of funds through seemingly mundane transactions (Noziedzīgi iegūtu līdzekļu legalizācijas novēršana).

In legal literature, legalisation of criminally acquired means is often referred to as "money laundering". Money laundering is "essentially the mixing of innocent money with guilty money to hide the latter" (Juriss, 2012).

In its guidance material for schools, the FIS defines money laundering as the process by which criminally obtained funds, or "dirty money", are made to appear legal or "clean". Any crime that generates money is money laundering (Zini naudas li[i]kumus).

According to Section 5 of the Law on Money Laundering and Prevention of Terrorism and Proliferation Financing the following actions are considered as money laundering: the conversion of proceeds of crime into other valuables, change of their location or ownership while being aware that these funds are the proceeds of crime, and if such actions have been carried out for the purpose of concealing or disguising the illegal origin of funds or assisting another person who is involved in committing a criminal offence in the evasion of legal liability; the concealment or disguise of the true nature,

origin, location, disposition, movement, ownership of the proceeds of crime, while being aware that these funds are the proceeds of crime; and the acquisition, possession, use or disposal of the proceeds of crime of another person while being aware that these funds are the proceeds of crime (Noziedzīgi iegūtu līdzekļu legalizācijas un terorisma un proliferācijas finansēšanas novēršanas likums, 2008.).

According to FIS explanation money laundering can be divided into three basic stages: *placement* (when the proceeds of crime (e.g., cash or its equivalent) are injected into the legitimate financial system); *layering*, or structuring (where the proceeds of crime are moved and structured away from their original source by simulating various transactions, with the aim of creating the appearance of legitimate transactions) and *integration* (where the proceeds of crime are integrated into a legitimate financial system and further used, as if legitimate, for various purposes (e.g., cash withdrawals, property acquisitions, various purchases)) (Noziedzīgi iegūtu līdzekļu legalizācijas novēršana).

In the course of the research the author concluded that the definitions that explain the concept of money laundering vary. At the national level, the definition is also explained in a number of normative acts, which, in the author's opinion, creates a serious problem - the diversity of interpretation of the concept of money laundering.

In addition, in some countries it is understood that money laundering covers only those activities involving proceeds of crime committed with the intention of concealing or disguising the origin of funds or other assets. That is to say, the perpetrator may, as a result of these activities, point to the supposedly legitimate origin of the funds. In other countries, by contrast, laundering is understood as almost any dealing with proceeds of crime, including storage and consumption (Zvejniece, 2008).

Combating money laundering in Latvia

According to Section 50(2) of the Law on Prevention of Money Laundering and Terrorism and Proliferation Financing (hereinafter referred to as the 'AML/CFT Law'), the FIS is the leading authority whose objective is to prevent the use of the financial system of the Republic of Latvia for money laundering and financing of terrorism and proliferation (Noziedzīgi iegūtu līdzekļu legalizācijas un terorisma un proliferācijas finansēšanas novēršanas likums, 2008).

The AML system is based on the subjects of the AML/CFT Law, the FIS and law enforcement authorities. The "architecture" of this system has two parts - prevention and combating. The most important part of prevention is the careful control of clients by the subjects of the AML/CFT Law, as defined

in Section 3 of the Law. The subjects of the Law are supervised and controlled by the statutory supervisory and control authorities, which can also spot possible money laundering and report it to the FIU, as well as impose penalties. The anti-money laundering bloc includes law enforcement agencies, prosecutors and courts. Law enforcement authorities are the subjects of operational activities and investigative authorities (Helmane, 2023).

Investigating authorities may initiate criminal proceedings under Article 195 of the Criminal Law after receiving information from the FID and may also conduct parallel investigations into predicate offences. In addition, under Section 59 of the Criminal Procedure Law, investigating authorities may initiate criminal proceedings in respect of criminal property.

According to Section 386 of the Criminal Procedure Law, the investigative authorities in the Republic of Latvia are the State Police, the State Security Service (hereinafter –SSS), the Internal Security Board of the State Revenue Service (hereinafter – SRS ISB), the Military Police (hereinafter – MP), the Prison Administration, the Corruption Prevention and Combating Bureau, the Tax and Customs Police of the State Revenue Service (hereinafter – SRS TCP) , the State Border Guard, the captains of sea-going vessels, the commander of a unit of the Latvian National Armed Forces located in the territory of a foreign country, and the Internal Security Bureau (hereinafter – ISB) (Kriminālprocesa likums, 2005).

According to Section 36 and Section 38(3) of the Criminal Procedure Law, in certain cases the prosecutor also decides on the initiation of criminal proceedings and may conduct the investigation himself (Kriminālprocesa likums, 2005).

Several investigative authorities in Latvia have identified the fight against money laundering as one of their priority tasks for the coming period. For example, the State Police (hereinafter - SP) in its 2023 Annual Report indicated as a strategic priority *to increase its capacity in the area of anti-money laundering and investigations* (Valsts policijas 2023. gada publiskais pārskats).

The Corruption Prevention and Combating Bureau (hereinafter referred to as the "KNAB") set as one of its priorities *the improvement of the practice of declaring the proceeds of alleged corruption of public officials as proceeds of crime and their confiscation for the benefit of the State* (KNAB gada pārskats 2023).

In its development strategy for 2023-2026, the State Revenue Service (hereinafter referred to as the SRS) set as one of its activities and objectives *to further develop risk-based prevention of money laundering, terrorism and proliferation financing in the SRS sphere of influence* (Valsts ieņēmumu dienesta attīstības stratēģija 2023.–2026. gadam).

Anti-money laundering challenges in the State Border Guard

Based on Section 386 of the Criminal Procedure Law, the State Border Guard Service (hereinafter - the SBGS) is an investigative authority. Like most other investigative authorities in Latvia, the SBGS has set as one of its activities and objectives in 2024 *the task of combating and preventing criminal offences to ensure the recovery of criminal assets and the fight against money laundering* (Valsts robežsardzes gada publiskais pārskats, 2023).

A review of the performance of the SBGS from 2017 to 2022 shows the number of criminal proceedings initiated for the particular year (see Fig. 1).

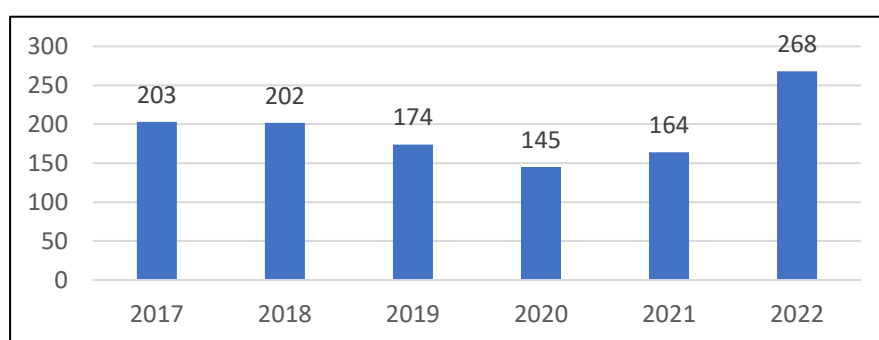


Fig. 1 Number of criminal proceedings initiated by the SBGS in 2017-2022 (compiled by the author)

Money laundering investigations are carried out in accordance with the competence for investigating predicate offences. The SP carries out the investigation of money laundering if no predicate offence has been established.

Article 2 of the United Nations Convention against Transnational Organised Crime explains that "predicate offence" means any offence which results in the proceeds of crime (Konvencija pret transnacionālo organizēto noziedzību, 15.11.2000.)

The author analysed the number of criminal proceedings initiated by the investigating authorities under Section 195 of the Criminal Law in the period 2017-2022. Statistics on these criminal proceedings initiated are included in the National AML/CFT Risk Assessment Report 2020-2022 (see Table 1).

Table 1

Money laundering criminal proceedings initiated under Section 195 of the Criminal Law and referred for prosecution in 2017-2022 (source: Nacionālais NILLTPF risku novērtēšanas ziņojums par 2020.–2022. gadu)

Institution	Criminal proceedings initiated in 2017–2019	Criminal proceedings initiated in 2020–2022	Criminal proceedings referred for prosecution in 2017–2019	Criminal proceedings referred for prosecution in 2020–2022
SP	384	895	96	256
SRS TCP	101	113	21	45
KNAB	6	29	0	3
PPO*	44	20	0	1
SRS ISB	1	6	0	2
ISB	2	4	1	4
SSS	1	3	0	2
SBGS	0	3	0	0
MP	2	2	1	2

* Public Prosecutor's Office

According to the data in the table above, 3 criminal proceedings under Section 195 of the Criminal Law have been initiated by the SBGS in the period 2017-2022.

Before assessing the performance of the SBGS in combating money laundering, it is necessary to look at its competence to investigate predicate offences. According to Section 387 of the Criminal Procedure Law, the State Border Guard investigates criminal offences related to illegal crossing of the state border, illegal movement of a person across the state border or illegal stay in the state, as well as criminal offences committed by a border guard as a state official, which are not related to violence (Kriminālprocesa likums, 2005).

As can be seen from the Criminal Procedure Law, the SBGS has a relatively narrow investigative remit compared to, for example, the SP. As a result, the SP investigates and refers to the prosecutor for prosecution more than 93% of all criminal proceedings for predicate offences.

In addition, the SBGS is also competent for cash controls at border crossing points where there are no officials of the SRS Customs Administration, as well as at border crossing points where controls are carried out only by the SBGS officials and beyond. No cash or similar instruments were seized during the reporting period (Nacionālais NILLTPF risku novērtēšanas ziņojums par 2020.–2022. gadu).

What kinds of problems can investigating authorities face when investigating money laundering?

In his book "Combating Money Laundering", A. Lieljuksis highlights a number of factors that can have a negative impact on money laundering investigations:

1. *Insufficient knowledge of investigators on various financial issues.*
2. *Investigators' personal desire to detect the predicate offence as soon as possible and to submit the case to the prosecutor for prosecution. The investigation of proceeds of crime is very slow, thus the investigation of a predicate offence is prolonged and the investigator has no interest in initiating a search for proceeds of crime at all.*
3. *The complexity of the investigation related to suspicions of laundered proceeds of crime and the use of laundered funds of criminal origin, establishing expenses of individuals that are significantly different from income.*

Based on the analysis of the factors mentioned by A. Lieljuksis in the context of the SBGS, the author's personal professional experience and the opinion expressed by officials of the relevant departments, it can be concluded that the SBGS investigators are knowledgeable and continuously improve their skills by attending various courses related to combating money laundering. The SBGS investigators carry out parallel investigations in all cases where there are reasons and grounds for initiating them. Investigations involving suspected money laundering and proving the criminal origin of laundered funds by establishing that persons have incurred expenses which are substantially different from their income are also not problematic.

How then to explain the low number of money laundering proceedings initiated by the SBGS during the reporting period? The answer lies in the narrow scope of the investigative powers of the SBGS, as it is laid down in the Criminal Procedure Law, as well as in the range of persons against whom the SBGS initiates criminal proceedings. For example, a person is detained on suspicion of having transported persons across the state border, the liability for which is provided in Section 285 of the Criminal Law. When investigating the criminal proceedings in question, the SBGS investigators are almost always confronted with a situation where the person was detained at the very moment of the committing the offence, i.e., during the illegal movement of persons across the state border. This means that the criminal has not yet received the "reward" for the crime. The second example could be related to the fight against corruption. In most cases, when investigating criminal cases related to bribery, the SBGS investigators conduct parallel investigations on money laundering and find out that the bribe-taker does not make any

savings, i.e., he spends the money obtained through criminal means on entertainment or everyday expenses, such as buying food.

Conclusions and suggestions

In the result of the study the author has concluded that:

1. Money laundering is one of the ten offences (the so-called "euro-crimes") on the list of offences on which the European Union focuses most of its attention.
2. The criminalisation of money laundering in Latvia has taken place in order to comply with Latvia's international obligations to establish liability for such offences.
3. The definitions of money laundering vary from country to country around the world. At the national level, definitions are also explained in a number of normative acts, which, in the author's opinion, creates a serious problem - diversity of interpretation of the concept of money laundering.
4. All investigative authorities in the Republic of Latvia, including the SBGS, when investigating a predicate offence, also investigate money laundering in parallel.
5. The largest number of money laundering criminal proceedings are investigated and referred to the prosecutor for prosecution by the SP.
6. The SBGS officers authorised to investigate predicate offences are sufficiently trained to conduct parallel investigations on money laundering.
7. Although the SBGS officials have the authority to perform cash controls at border crossing points where there are no officials from the SRS Customs Administration, the cases of illegal transportation of cash have not been detected so far.

Based on the conclusions of the study, the author has put forward the following suggestions:

1. In order to exclude differences of interpretation of the concept of money laundering, it would be useful for the legislators to stick to the same interpretation of the definition in normative acts both at international and national level.
2. The SBGS should improve the control of cash movements at border crossing points where there are no officers of the SRS Customs Administration, for example to consider the possibility of involving service dogs in the control.
3. The SBGS investigators should further develop the professional skills in investigating money laundering and other financial crimes.

4. The author to further study the mechanism of combating money laundering in the SBGS, paying attention to cash control at border crossing points where there are no officers of the SRS Customs Administration.

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THE IMPORTANCE OF HUNTING ARMOR AND MILITARY PREPAREDNESS IN ENSURING NATIONAL BORDER SECURITY

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Abstract. *Hunting is a widely practiced activity around the world, as humans have been hunting since the dawn of civilization, continuously refining their skills, techniques, and methods. Hunting, or the pursuit and killing of wild animals, requires hunters to be adept at camouflage, accurate shooting, navigating the terrain, and reading tracks left in the forest. In essence, hunting involves skills that are also valuable in military contexts, especially for small combat units (such as commandos or snipers). Hunters are among the most knowledgeable about the forests of Latvia and could potentially operate individually or in small groups behind enemy lines in times of national threat. There are approximately 25,000 hunters in Latvia, making up about 1.3% of the population. Many hunters are also serving in the National armed forces, the National guard, the police, and the Border guard.*

The purpose of the study: Analyze the armament available to Latvian hunters, the level of military training in hunting associations and the possibilities of involving hunters in ensuring border surveillance.

Main tasks:

- 1. Study the armament and military training of Latvian hunters;*
- 2. Analyze the possibilities of using hunters in ensuring the security of the border;*
- 3. Make proposals in which way it would be possible to use hunters in ensuring the security of the land border.*

Research methods:

- 1. Empirical research method (survey);*
- 2. Qualitative research method (situation analysis);*
- 3. Method of logical analysis.*

Keywords: *associations, hunters, National Armed Forces, skills, weapons.*

Introduction

Hunters use firearms designed specifically for hunting during their activities. Depending on the type of hunting (size of the game, shooting distance, and other factors), these firearms are suited for various types of hunting. The firearms used by hunters are essentially identical to those used in military conflicts. Utilizing hunters in national border security would enhance the capabilities for border surveillance and protection and improve cooperation between hunting groups and the Border Guard units, which would be beneficial for overall national defense.

<https://doi.org/10.17770/bsm.v5i10.8319>

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In Latvia, there are approximately 25,000 hunters, most of whom are actively involved in hunting activities. The majority of active hunters are members of some hunting association. A hunting association is a legal entity where individuals with a common profession, field of activity, or shared beliefs come together. People with common interests in hunting generally form associations. An association is a voluntary group of people established to achieve the goals set out in its statutes, and it is non-profit in nature. Such associations often engage in various activities, such as organizing hunting events, promoting wildlife population management, providing training and education on hunting ethics and safety, and participating in the conservation and protection of natural resources (Law on Associations and Establishments, 2003).

An association obtains legal entity status when it is registered in the Register of Associations and Foundations in accordance with the Associations and Foundations Law. During registration, information about the establishment of the association is submitted, signed by the founders, and the statutes in the current edition are provided, along with the designation of the association's board and chairman. An association must consist of at least two like-minded members, and its statutes may specify a maximum and minimum number of members.

The main difference between hunting associations and other organizations is the use of firearms. Hunting associations predominantly use firearms in their hunting activities and are sometimes considered armed internal formations that could potentially provide support for national external and internal security, or pose a security threat if led by individuals disloyal to the state.

In Latvia, as of 2023, amendments to the Firearms Circulation Law were enacted to prevent internal threats by revoking firearm permits for non-citizens. These legal changes forced many hunting associations to alter their hunting activities or even expel members from the associations, as hunters whose firearm permits were revoked could no longer fully participate in the hunting activities organized by the associations.

1. Basic principles of applying hunting equipment

Hunting is a set of activities or individual actions in which hunting firearms, tools, or techniques are used to track, search for, capture, injure, or kill game animals (Hunting law, 2003).

Hunting weaponry encompasses various protective gear, hunting accessories, and hunting weapons that ensure safety and successful execution of hunting activities. The main and commonly used types of hunting weaponry and equipment are:

1. Safety glasses;
2. Animal tracking devices;
3. Safety vests and hats (in orange color);
4. Hunting firearms.

It is crucial to choose hunting weaponry that is suitable for the specific hunting conditions and types, as well as in compliance with legal regulations. Many types of hunting weaponry are used to ensure maximum safety by reducing potential risks associated with hunting.

In this work, the author will focus primarily on hunting firearms among all the previously mentioned types of hunting weaponry, as hunting firearms will be used in national defense situations and will essentially be equivalent to combat weapons. In Latvia, the regulation of all types of firearms is governed by the "Weapons Circulation Law," where a firearm is defined as any portable weapon with a barrel that, as a result of the action of gunpowder or another propellant, fires a projectile and is designed or can be modified to fire a projectile. A hunting firearm is essentially identical to a military firearm, with only the application specifics differing. In Latvia, firearms and ammunition are categorized according to their technical parameters into categories A, B, C, D, E, and F, and by their usage. Based on their use, firearms and ammunition are categorized as follows:

1. Self-defense weapons and their ammunition;
2. Hunting weapons and their ammunition;
3. Sports weapons and their ammunition;
4. Collection weapons;
5. Weapons intended for historical event representation and their ammunition (Arms Traffic Law, 2019).

A hunter is first and foremost a citizen of the Republic of Latvia, and only then a part of a community that has united in an association based on common interests. According to the Law on the Circulation of Weapons, a Latvian citizen (hunter) can acquire all types of weapons in their possession, but no more than 10 firearms, provided that they have completed the appropriate courses (if required) and received permission from the State Police. In Latvia, hunting mainly involves two types of hunting firearms: rifled firearms (see Fig.1) and smoothbore hunting firearms (see Fig.2).

Rifled hunting firearms (carbines) are mostly equipped with optical sights and are designed for long distances, being technically identical to sniper rifles. Hunters who use such firearms in hunting can be compared to snipers, capable of neutralizing enemy personnel (infantry) from long distances. Each year, hunters are invited to participate in long-range shooting sessions called "United for the Nation," organized by the National

Armed Forces and the Latvian Hunters' Association. The goal is to strengthen cooperation between hunters and the National Armed Forces, as well as to explore the potential involvement of hunters in national defense efforts.



Fig.1. Carbine Browning X-Bolt SF MAX (Browning, 2024)

Smoothbore hunting firearms (shotguns) are short-range (50-70 meters) hunting weapons, primarily used for hunting game birds with shot (pellets). This type of firearm can also be used for clearing rooms and trenches, as the shot covers a wider area at close range and can neutralize the enemy.



Fig.2. Double-barrel break-action shotgun Fabarm ELOS A2 AL (Fabarm, 2024)

As of 2024 in Latvia, Latvian citizens own the following types of weapons:

1. High-energy pneumatic weapons - 38;
2. Gas weapons - 12,938;
3. Firearms - 74,607 (Ministry of the Interior, 2024).

Out of the total number of firearms, hunters own 62,665 hunting firearms, which could be used in the event of a military conflict:

1. Rifled firearms - 28,614;
2. Smoothbore firearms - 34,051 (Ministry of the Interior, 2024).

These types of hunting firearms are intended for hunting with the goal of killing game animals, but military weapons are designed to eliminate

enemies (people). In times of war, hunting weapons would fulfill the same function. The author of this work conducted a survey involving 100% (15 hunters) of hunters of the "Piekūns" Hunters and Fishermen's Association (hereinafter - HFA "Piekūns"), that agreed to take part in the survey, and received answers to the following questions:

- What type of firearms do you own and in what quantity?
- Are you a member of the National Guard?
- Do you work in law enforcement or a military institution?
If so, which one?
- Would you defend the country if necessary?
- Would you support the involvement of hunters in military training and in ensuring the security of the state and its borders?

In summarizing the information for question 1, the author found that the hunters of HFA "Piekūns" collectively own 15 rifled firearms and 18 smoothbore firearms, as well as 3 pistols (personal defense firearms). This represents a significant and sufficient arsenal to form a sniper team, a small armed unit (squad) for conducting sabotage in enemy territory, or for the temporary capture and holding of small objects.

Hunters not only have firearms and the skills to use them but also possess modern equipment and knowledge of local infrastructure. Of course, the military field has its own specifics and skills that must be acquired to avoid endangering oneself and others, but a hunter is a potential guarantor of national security and a significant resource of trained armed individuals in the event of a national threat.

2. Level of military preparedness in hunting associations

The author, continuing to analyze the answers to the survey questions related to military preparedness, found that among the 15 (fifteen) hunters of the HFA "Piekūns" there are:

- 2 border guards;
- 1 national guard member;
- 2 soldiers (a corporal and a senior soldier);
- 2 who have completed mandatory service in Latvia;
- 4 who have completed mandatory service in the Soviet Union;
- 4 have had no connection with the military field.

Overall, it can be said that the majority of HFA "Piekūns" hunters have had contact with the military, and among the hunters are members of the National Armed Forces, who in an emergency could take on a leadership role by forming a small armed unit. The presence of militarily trained individuals in hunting associations is a positive factor, as they will shape the internal atmosphere and lead a unit consisting of hunters who know how to

use hunting firearms in hunting but not in wartime situations.

In response to the survey question, "Would you defend the country if necessary?" all HFA "Piekūns" hunters unanimously said "Yes," which confirms their loyalty to the state of Latvia and their readiness to defend it in case of threat. According to the author, such patriotism among hunters is linked to the ongoing war in Ukraine, which demonstrates that military conflicts are still possible in modern Europe. The National Security Law stipulates that Latvian citizens are obligated to resist an aggressor by any means available, and hunting associations or hunters are a part of society that has a significant resource at their disposal, such as firearms.

Analyzing the last survey question and understanding that military tactical knowledge, such as search operations, reconnaissance, observation, and other military skills, is not included in hunter training, it is clear that, in essence, these are similar skills to those used by hunters in hunting, such as tracking and searching for game animals, scouting hunting locations, observing animals (stand hunting), and many other tasks that are essentially equivalent to military skills. The survey responses indicate that all hunters are willing to undergo training aimed at national defense, but emphasize that it would be useful to organize training for hunting associations near the border with a focus on securing the state border, while for hunting associations within the country, the focus should be on ensuring national security.

The Latvian Ministry of Defense should start considering how to provide knowledge to those hunters who are Latvian patriots and wish to participate in national defense but for various reasons cannot join the National Guard, so that they do not become easy targets in a crisis situation and are able to operate autonomously.

Conclusions and suggestions

The author of the study on the significance of hunting weaponry and military preparedness for ensuring state border security has drawn the following conclusions:

1. Hunters are a significant but undervalued resource for national defense.
2. Hunters possess a large number of hunting firearms, which are comparable to military firearms.
3. The techniques used in hunting (observation, tracking, shooting) are similar in principle to military techniques.
4. Hunters do not have weapons designed for destroying military equipment.
5. Hunters lack training focused on mutual cooperation in emergency situations.

6. In order to study current theme more thoroughly, this article should be continued within broader research (e.g., within a bachelor paper), including a survey of several hunter's associations in different territorial regions of Latvia and a survey of State border guard officials in order to state the necessity of cooperation between hunter's associations and the State border guard.

Main recommendations:

1. State border guard should consider a possibility to propose the National Armed Forces to develop an action plan for hunters that live in border areas, outlining what they should do in the event of a military conflict, especially if they have not managed to evacuate to the interior of the country and find themselves behind enemy lines.
2. In order to enhance border security, State border guard in cooperation with the National Armed Forces should consider organizing seminars (online/in-person) in various regions of Latvia, particularly in border areas with Russia and Belarus, to prepare hunters informatively for emergency situations.
3. The National Armed Forces should consider a possibility develop a training program involving hunting associations to train cooperation between hunters and soldiers in various military conflict scenarios.

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THE IMPORTANCE AND NECESSITY OF LAND-BASED MILITARY EQUIPMENT IN THE STATE BORDER GUARD

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Abstract. *The ability of State Border Guard (henceforth - SBG) personnel to respond swiftly, utilizing all available SBG resources to counter any threats at the national border, is a critical aspect of ensuring state security. In modern times, the SBG collaborates closely with the National Armed Forces (henceforth - NAF), engaging SBG personnel in joint training and providing them with necessary equipment. This cooperation is essential as, during a state of emergency or wartime, the SBG integrates into the NAF. To foster stronger collaboration between the personnel of these two state institutions, SBG officers undergo extensive familiarization with NAF combat tactics, communication systems, firearms, and military equipment, with particular emphasis on land-based military vehicles. The use of military equipment in border security operations would enhance border guards' familiarity with the fundamental principles of operating and managing such technology, which would be beneficial in broader national defense efforts. One of the primary features of military equipment is its capability to be armed, coupled with increased off-road mobility and high durability. These characteristics are highly relevant to the SBG, as its personnel often need to traverse terrain where conventional roads are absent.*

The purpose of the study: Investigate and analyze the types of military equipment and the possibilities of their use in the provision of border surveillance.

Main tasks:

- 1. Study the land military equipment at the disposal of NAF;*
- 2. To analyze which of the NAF military equipment can be used in ensuring the security of the state border;*
- 3. To express proposals on what kind of military equipment could be used in observing the regimes of the state border.*

Research methods:

- 1. Empirical research method (interview);*
- 2. Qualitative research method (situation analysis);*
- 3. Method of logical analysis.*

Keywords: *military equipment, State border guard, civilian equipment, National Armed Forces, weapons.*

Introduction

Analyzing Latvian regulatory documents related to military equipment, the author did not find a comprehensive definition of the term "military equipment." However, on the National Armed Forces website, military equipment is classified into three types:



- Air;
- Naval;
- Land.

The Road Traffic Law defines the term "special military equipment." Specifically, special military equipment refers to armored vehicles, engineering vehicles, and other specialized self-propelled machinery with engines, provided that they are not built on an automobile chassis and are designed for use in training battles and combat situations (The Road Traffic Law, 1997). From this, it follows that special military equipment, by its design, cannot be built on an automobile chassis and is specifically intended for the execution of military tasks.

Meanwhile, in F. Justs' book "Explanatory Dictionary of Military Terms," military equipment encompasses all types of weapons, combat and other vehicles, devices, apparatuses, equipment, and other technical tools supplied to the armed forces to support their combat and daily operations (Justs, 2008). From the aforementioned, it follows that military equipment includes everything supplied to the national armed forces to enable them to fulfill their duties.

Today, military equipment is categorized into:

- Weaponry and its carriers (e.g., ships, tanks, aircraft);
- Command and control systems for troops and combat resources, technical training aids;
- Technical means for propaganda (Justs, 2008).

From the general classification, the author identifies one category that is more or less applicable to border guard needs: "weaponry and its carriers," which, by its nature, constitutes military equipment capable of operating across land, sea, or air depending on its specific usage. The State Border Guard is responsible for securing the European Union's external land borders, and therefore, the focus will be specifically on the use of land-based military equipment in ensuring national security.

Weapons and destruction means are often categorized separately, leading to the distinction between weapons and military equipment. The primary component of military equipment is combat technology, which is designed for direct engagement in warfare, and supporting technology. For the execution of complex, multifunctional combat tasks, various types of combat technology are integrated into complexes (Justs, 2008). Any combat technology is characterized by the following requirements:

- It must have a chassis;
- The chassis should be equipped with an autonomous engine to facilitate movement;
- It must be fitted with armament that enables independent combat operations (Justs, 2008).

From the general description, it follows that military equipment is essentially combat technology equipped with a chassis, engine, and armament, designed to perform military tasks under various conditions. In contrast, civilian equipment refers to technology that has no connection to the military or armed forces, and thus lacks military significance. It is intended for everyday use and is freely accessible for viewing, purchasing, and registering.

Civilian equipment information, including specifications and configurations, is readily available on the websites of manufacturers that sell the equipment, as each manufacturer aims to offer more comprehensive features and better prices to outperform competitors, adhering to the principles of free market competition. Military equipment, however, is subject to a separate procurement and registration process, reflecting its specialized nature and regulatory requirements.

Civilian equipment is characterized by three main attributes:

- Free availability;
- Transparency of necessary information;
- Ease of registration.

Examples of civilian equipment include:

- Bicycle;
- Moped;
- Motorcycle;
- Tricycle;
- Quad bike;
- Automobile;
- Agricultural machinery;
- Tram;
- Trolleybus.

Today, civilian equipment is used for administrative and operational functions, transportation of people, support functions, logistics tasks, training organization, agriculture, livestock farming, and forestry.

In carrying out its duties and supporting training processes, the State Border Guard personnel use civilian equipment such as motorcycles, quad bikes, automobiles (both light and cargo), and agricultural machinery. This equipment is procured through projects or publicly announced tenders, involving independent experts who evaluate offers based on their specifications and applicability. As a result of these projects or tenders, the equipment is acquired and distributed among VRS units according to their technical specifications.

1. Fundamental principles of military equipment utilization

The utilization and deployment of military equipment depend on three states of the country:

- Peace Time;
- Threat Period;
- War Time.

During peace time, military equipment is used to maintain and enhance combat capabilities through various military exercises. This, in turn, improves the combat and mobilization readiness of the armed forces. A diverse range of military equipment is involved in peacekeeping (or peace restoration) operations conducted under the auspices of the United Nations Security Council. Military equipment may also be employed in disaster response and recovery efforts. For instance, in Latvia, it was used in firefighting operations during the 2021 Garkalne forest fire, involving both land-based military equipment and a military aircraft (helicopter). Depending on the situation, military equipment supports military convoys and the accumulation of weapons and material supplies, ensuring the National Armed Forces can address and sustain tasks during wartime.

During the threat period, military equipment is used for demonstrative military exercises, known as "muscle flexing," to deter any potential aggression towards Latvia. Military equipment units are used to build troop formations, deploy military groupings operationally, and enhance combat and mobilization readiness. Various military equipment units are also employed in strengthening reconnaissance forces and resources, preparing combat equipment, weapons, and military gear for combat use, and developing logistics bases and repair capabilities.

In war time, military equipment is employed to perform designated defense and counterattack tasks (such as fire support, security, evacuation, mobility, and mobilization), protect significant military, state, and communication infrastructure, based on military threat analysis and the National Defense Concept. The use of military equipment is also necessary for the reception of allied North Atlantic Treaty Organization forces, as stipulated by Article 5 of the North Atlantic Treaty Organization Treaty, which obligates assistance in the event of an attack to restore security in the North Atlantic region.

From the above, it follows that the application of military equipment is contingent upon the military state of the country, but it remains predominantly used for military tasks. The current situation, with the influx of illegal migrants at the Latvian and Belarusian border, indicates that Latvia is in a threat period, requiring military exercises for "muscle flexing" to deter potential aggressors. This was exemplified by the unplanned

military exercises conducted by the National Armed Forces in Latgale on November 13, 2021.

2. Utilization of military equipment in the state border guard

A significant portion of the State's land border comprises marshlands, forests, and fields, where access to the border is challenging and travel occurs through off-road areas. In such conditions, mobility becomes a critical, if not the primary, factor for timely detection and response to border breaches. From the author's practical experience, it is known that access to the border's marshy areas is particularly difficult, as the existing equipment of the State Border Guard is not designed for overcoming marshy terrain.

It would be beneficial to deploy land-based military equipment within the State Border Guard's units (border protection departments) responsible for land border monitoring and security. This would enhance mobility, which in turn would improve the coordination between State Border Guard personnel and National Armed Forces personnel, as they would both be familiar with military equipment. Consequently, this would reduce the need for additional training in the event of wartime conditions.

To further assess which military equipment would be beneficial, an interview was conducted with great warrior Jānis Kļaviņš, the Senior Heavy Vehicle Driver at the Logistics Command's Automotive Transport Support Center of the National Armed Forces of the Republic of Latvia. Great warrior J. Kļaviņš has served in the National Armed Forces for 14 years and has extensive experience with both civilian and military vehicles. During the interview, a broad discussion was held regarding the potential use of military equipment for state border security.

The great warriors J. Kļaviņš were asked various questions about their service and practical opinions on which military equipment would be necessary for the State Border Guard. In their responses, the great warriors J. Kļaviņš indicated that they have traveled with military equipment on various types of roads and off-road terrain. They believe that heavy military equipment would not be suitable for State Border Guard units, as its use could damage existing road infrastructure and negatively impact border monitoring operations. The application of heavy equipment could potentially damage roads and negatively affect cooperation with local residents.

Instead, great warriors J. Kļaviņš suggested that the State Border Guard would benefit from fast, mobile military equipment with enhanced off-road capability and durability. Specifically, they recommended:

- Can-Am Bombardier 6x6 ATVs (see Fig.1), which offer increased mobility and off-road performance;
- Tracked Vehicle with Rubber Tracks (see Fig.2), which can improve traction and reduce damage to terrain;
- Bandvagn (see Fig.3), a type of tracked vehicle known for its ability to operate in challenging environments.

These recommendations reflect a preference for equipment that enhances mobility and operational effectiveness without compromising infrastructure or community relations.



Fig.1 Can-Am Bombardier 6x6 ATVs
ATVs
(Can-Am Outlander MAX, 2024)
2024)



(Can-Am Outlander MAX, 2024)



Fig.3 Bandvagn
(Bandvagn 206, 2024)

This military equipment has proven its effectiveness in various reconnaissance tasks, as reconnaissance personnel need to be mobile and capable of quickly disappearing when necessary.

Bandvagn is a two-part tracked all-terrain vehicle designed to traverse water, swamps, and snow. To operate this military equipment, a tractor driving license is required, which might pose a challenge for its use, as many do not have such licenses. This military vehicle would be most suitable for border protection units located in areas with swamps. The

presence of such equipment in Border Guard Service units would enhance mobility in difficult-to-reach areas where other vehicles cannot access. A notable drawback of this military equipment is its high fuel consumption (ranging from 15-20 liters of fuel, whether diesel or gasoline) (Mortar Investments website, 2024), which makes its use costly, considering fuel prices.

The author considers the Canam Bombardier 6x6 quad bike with additional rubber tracks to be very advantageous and promising for border surveillance. To operate this vehicle, only a Category B driver's license is required, which is a significant advantage since many Border Guard personnel already have such licenses. The use of this military technology is versatile, as it can travel on all types of terrain (including off-road) and, with the rubber tracks installed, can navigate deep snow and swampy areas. Although the fuel consumption of this military vehicle is similar to that of the Bandvagn, its operational range is much broader, making its use more cost-effective.

The aforementioned military vehicles (Canam Bombardier 6x6 quads and Bandvagn) have previously been used for national border security in 2021 and 2022, when the Border Guard requested assistance from the National Armed Forces for border security. This request came after the Belarusian government initiated a hybrid attack against Latvia, manifested by a large influx of migrants at the Latvian-Belarusian border and attempts to illegally cross the Latvian land border. The use of this land-based military equipment proved beneficial not only in providing mobility but also in ensuring logistics, delivering various construction materials, and building a temporary fence along the national border.

The author believes that acquiring a small number of Bandvagn vehicles would be advisable to support the Border Guard units where movement is most difficult (i.e., long swampy sections of the border). However, each border guard unit should be equipped with Canam Bombardier 6x6 quads (with additional rubber tracks) as these vehicles can be used on a much broader scale.

Conclusions and suggestions

While conducting a study on the possibilities of using military equipment, with an emphasis on land military equipment, to ensure the protection of the State border, the following conclusions have been drawn:

1. The wording of the term "military equipment" differs in different sources of information;
2. Vehicles built on the basis of a car and designed for combat conditions, according to the legislation of the Republic of Lithuania,

cannot be equated with military equipment, because military equipment, according to the legislation of the Republic of Lithuania, is an armored vehicle with a motor, which is not built on the basis of a car and is intended for combat conditions;

3. State Border Guard structural units do not have any type of military equipment;
4. The use of heavy military equipment in monitoring the country's land border would negatively affect both mobility and cooperation with the local population;
5. Use of armed military equipmentborder surveillance will promote escalation with neighboring countries;
6. Only light military equipment may be used for border surveillance;
7. The use of military equipment in State Border Guard structural units would increase compatibility with National armed forces officials;
8. Use of light military equipmentin border surveillance will increase the mobility of border guard assignments, especially in swampy areas.

The main propositions of the work:

1. It is necessary to provide unarmed light ground military equipment (Bandvagn/ four-wheeler Canam Bombardier 6x6 (with additional equipment – rubber tracks) of the State Border Guard departments whose guarded station has marshy areas;
2. It would be useful for State Border Guard officials, in cooperation with National armed forces, to organize practical courses/lessons in the use, shooting and control of land military equipment, which would increase cooperation between the two state institutions during the war;
3. It would be necessary to define a new concept of "combat equipment" - a motor vehicle, armored vehicle, engineering and other special self-propelled vehicle with a motor, if it is possible to install armament and is designed for use in training battles and in combat conditions.

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PREVENTION AND CONTROL OF MASS DISORDERS IN THE BORDER ZONE AND BORDER AREA OF THE REPUBLIC OF LATVIA

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Abstract: *The article "Prevention and Control of Mass Disorders in the Border Zone and Border Area of the Republic of Latvia" focuses on evaluating the likelihood of mass disorders and assessing the preventive and control measures implemented by the State Border Guard of Latvia. The study aims to analyze the effectiveness of border surveillance in the 12-meter-wide border zone and the 2-kilometer-wide borders, with particular attention to potential threats along the Latvian - Belarus border. The study concludes that proactive measures and sufficient resource allocation are crucial for maintaining border stability. This article aims to study and evaluate the existing mass disorder prevention and control mechanisms in the state border zone and border zone of the Republic of Latvia. As well as develop recommendations for their improvement (Leonard.S. & Kaunert.C., 2021). Research methods: Several research methods were used in the study, including analysis of documents and legal acts, quantitative and qualitative data analysis, as well as case studies of previous incidents of mass disorders on the border of the EU. Primary and secondary sources (scientific literature) were used for data extraction.*

The tasks of the article are:

- 1. To analyze the current regulatory framework and operational strategies of the Border Guard.*
- 2. To assess the experience of Latvia and other European Union countries in this field.*
- 3. Identify the main risk factors and threats that can cause mass disorders in the border area.*
- 4. Develop recommendations for the improvement of regulatory framework and operational activities.*

Keywords: *border strip, control, external border, mass disorder, prevention, state border strips,*

Introduction

The state borders and the border zone of the Republic of Latvia are a strategically important territory that ensures the security and stability of the country. Today's security challenges, including increasing volumes of migration flows, hybrid threats, and possible mass disorders, create the need to strengthen prevention and control mechanisms in this area. Latvia's experience, as well as international practice, show that effective prevention and control of mass disorders is essential not only for the security of the national border but also for the peace and order of society. The relevance of

<https://doi.org/10.17770/bsm.v5i10.8299>

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this study is also reinforced by the importance of the external border of the European Union, which requires coordinated actions and exchange of experience between member states.

Study period: The study was conducted in the period from January 2022 to January 2023. During this period, current data was analyzed as well as the history of border incidents, which helped to identify the main risk factors and problems (Latvian State Border Guard Annual Report, 2022).

Hypothesis: The research hypothesizes that the existing mass disorder prevention and control strategies in the state border zone and border zone of the Republic of Latvia are not effective enough to adequately respond to the growing security challenges. This situation may pose risks to national security and public order if the necessary improvements are not made.

The concept and nature of mass disorders

Mass disorders are a tool of public or civil expression, during which a large number of people participate in violent, uncontrolled, and provocative activities that threaten public order, security, and peace. Such disorders are often associated with public discontent and can take many forms, from protests to large-scale disorders of a highly violent nature.

The causes of mass disorders can be varied, but they often stem from deep dissatisfaction with the existing situation or specific events. Disorders have several characteristics that distinguish them from other social disorders: an activity involving large numbers of people, the expression of violence, chaos, and unpredictable actions that have political and social objectives. Riots can have both short and long-term consequences in terms of loss of life and property, polarisation of society, financial losses, and political consequences. The containment and control of riots is a complex process that requires a careful approach, respecting fundamental human rights and human rights at the same time, aimed at public security. To prevent disorder, it is important to promote social justice, create dialogue with the public, maintain effective law and order, and educate the public about civil rights and methods of peaceful conflict resolution. Mass disorders are a complex social phenomenon, the causes and manifestations of which are diverse. To effectively control and prevent them, a balanced approach is needed, which includes both preventive measures and responsible behavior in crises (International Organization for Migration (IOM), 2022).

Factors contributing to mass disorder on the external state border of the Republic of Latvia

The Republic of Latvia is a member of the European Union and the Schengen Agreement, which serves as a tempting factor for those who like the illegal state border and encourages them to go to the Latvian state border and cross it illegally. The flow or crowding of large people contributes to the occurrence of mass disorders, the factors that provoke the occurrence of mass disorders on the external state border of the Republic of Latvia can be different and include various social, political, economic, and environmental aspects.

In the Republic of Latvia, mass unrest can be caused and includes various social, political, and economic factors. These factors can affect the situation at the external state border of the Republic of Latvia, creating various challenges and risks. Some of the factors contributing to mass unrest can be:

- **Illegal migration:** Uncontrolled and massive illegal migration flows can create situations when migrants try to cross the external state border of the Republic of Latvia in an uncontrolled and illegal manner, and this can provoke mass unrest on the external state border. The reasons can be both economic and political, as well as humanitarian.
- **Political situation in the country:** Political instability in third countries or neighboring countries can create pressure on the external border of the Republic of Latvia. Uncontrolled flows of refugees, protests or conflicts in third countries or neighboring countries can provoke migration flows and unrest on the external border of the Republic of Latvia.
- **Economic and social:** Economic decline and recession in neighboring countries can lead to illegal migration among citizens of neighboring countries seeking a better life and income.
- **Human trafficking and organized crime:** The external state border of the Republic of Latvia can be a place for illegal activities, which may include human trafficking, which would contribute to disorder on the external state border of the Republic of Latvia and the formation of organized criminal groups.
- **Tension and conflict between neighboring countries:** State disputes between neighboring countries can cause unrest on the external state border, which may develop into protests (peaceful or non-violent), as well as the blocking of border crossing points.
- **Internal discontent:** Internal discontent includes protests and social discontent within the country, which may spread to the border area and provoke mass unrest.

- Natural disasters: Natural disasters can cause uncontrolled mass illegal migration, which will go hand in hand with famine, and can create chaos on the external border of a country, as people seek help in neighboring countries. Lack of information or disinformation: Information that allows for the manipulation and control of groups of people to achieve certain goals, misleading people about the true beneficiary.

To prevent or deal with mass disorders close to the external state border of the Republic of Latvia, the state border guard, police, and other law enforcement agencies carry out stricter border control and border surveillance in response to the causes of the crisis. Likewise, international cooperation, effective migration policy, and respect for human rights can be important factors that help prevent mass disorders on the external border of the Republic of Latvia (International Organization for Migration, 2022).

The role of the State Border Guard in the prevention and control of mass disorders in the state border zone and border zone of the Republic of Latvia

The State Border Guard of the Republic of Latvia is a state law enforcement institution responsible for border control and security within the state borders. The main task of the State Border Guard is to ensure the inviolability of the national territory and protect it from illegal crossing of the national border in both directions. The State Border Guard operates in several areas (Latvian State Border Guard overview of border incidents, 2023):

- Border control: The State Border Guard monitors the national border to prevent illegal entry into the national territory. This includes patrolling, operating border checkpoints, and using technology to monitor the border area.
- Inspection of people and goods: The National Border Guard checks people's documents and identity at border checkpoints to ensure that the internal border is crossed legally. In addition, it controls cross-border transport of goods and vehicles.
- Human rights: The State Border Guard is concerned with respect for human rights, especially about the protection of migrants and refugees. Its activities must comply with international regulations and humanitarian values.
- Crisis response: The State Border Guard is ready to respond to various events and crises that may occur near the border, including mass disorders, humanitarian crises, or disasters.

- Cooperation with other institutions: The State Border Guard cooperates with other state security and police institutions, as well as international organizations to ensure effective border control and security.

The State Border Guard is responsible for the public safety of the Republic of Latvia and the inviolability of the national territory.

The role of the State Border Guard of the Republic of Latvia in the prevention and control of mass disorders in the state border zone and border zone of the Republic of Latvia is very important.

The state border strip is a special state territory that starts from the state border and is subject to special rules and restrictions. The national border strip is designed to ensure the security of the external state border of the Republic of Latvia, control border crossing, and ensure national sovereignty. The width of the state border strip with the Republic of Belarus and the Russian Federation is 12 meters, which the state border strip regime operates, which includes several state border monitoring measures or sets of measures that help the State Border Guard control the situation on the external state border of the Republic of Latvia.

The border strip is a 2-kilometer wide national territory that adjoins the national border and the national border strip is one of its constituent parts, but it is not directly connected to the national border and is located inside the country. This territory is typical for countries with external borders of the European Union. The border strip plays an important role in ensuring the inviolability of the state border and in the prevention of mass disorders because in the given territory the state border guard controls the activities of people and economic activity, entry into the specified territory is allowed only with special passes issued by the state border guard after a detailed examination of persons.



Fig.1 State border strip of the Republic of Latvia, 12 meters wide, with zone divisions (created by the authors)

The State Border Guard is the primary law enforcement agency responsible for intercepting violators at the national border, ensuring they

do not cross illegally, and safeguarding the nation's territorial integrity. The main task of the State Border Guard is to ensure the inviolability and security of the territory of the Republic of Latvia, which also includes measures to prevent mass disorders and control the border to prevent illegal crossing. To achieve this, the State Border Guard carries out the following preventive actions (National Security Strategy, 2022):

- Regular patrolling of the state border, engagement of Frontex experts, technologies to monitor the state border, state border zone, and border zone;
- Inspection of people's documents, to clarify the identity of a person, to prevent illegal entry, entry into the border lane.
- Document and physical control of vehicles to prevent illegal smuggling of people and goods in the border lane.

The given set of measures are components of the border surveillance system, which serves as a prevention of mass disorders on the external state border of the Republic of Latvia. The State Border Guard is ready to react and in the context of Belarus reacts to the threat of mass disorder that could occur near the border, when a large number of people want to illegally cross the state border, but the State Border Guard of the Republic of Latvia and other law enforcement agencies do not allow them to do so. The prevention of mass disorders also includes cooperation with other security institutions, an example of which the authors note is the cooperation of the State Border Guard and the National Armed Forces, the purpose of which is to ensure public safety and protect the interests of the state in the eastern part of Latvia.

The State Border Guard, upon detecting mass disorders on the State border, takes measures to stabilize the situation and take control of a large crowd of people. During mass disorders, control mechanisms are an essential part of maintaining order and ensuring public safety. These control mechanisms can be the actions of border guards, police, and other law enforcement agencies, as well as the self-regulation and participation of society. The authors of the paper point to some examples of how control can be ensured during mass disorders (Frontex Risk Analysis, 2022):

- Border Guard and Security Forces: The Border Guard and other security forces are responsible for riot control and surveillance. (Schengen Borders Code, 2016).
- They can use several actions to limit violence and maintain public safety, such as restricting access to certain areas, using mass security, and arresting people who participate in violent activities or try to cross the border illegally.
- Communications and surveillance: Border Patrol can use communications and surveillance tools to identify and cover violent

actors and groups. This includes video surveillance, mobile tracking, and other technological means (Schengen Borders Code, 2016).

- Cooperation of peaceful crowd members: Leaders and organizers can help maintain order by communicating with peaceful crowd members and trying to prevent violence. They can call on the members of the peaceful crowd to respect the rules and not provoke the border guards and other security forces.
- Medical and humanitarian assistance: Control mechanisms may also include medical assistance to victims and humanitarian assistance to those who may be at risk during mass disorders. This may include striking out to save people from dangerous situations.
- Legal system: After disorders, legal investigations are launched and violent actors can be prosecuted under the law. This can include arrests, deportation charges, and other court proceedings.
- Community participation and education: Community participation and education about civic rights and responsibilities can be very important in the community of origin before mass disorders occur. This can help prevent violence and improve public awareness of resolving conflicts peacefully and legally (Schengen Borders Code, 2016).

Control mechanisms during mass disorders on the State border must be adapted to specific situations and respect human rights and laws to maintain justice and order in society. Excessive use of power or unnecessary repression can lead to conflict and escalate the situation (Baltic Security Strategy Project, 2022).

At the beginning of 2022, Belarusian authorities supported a rapid and growing trend of illegal migration to the European Union from the Republic of Belarus to the Republic of Latvia.

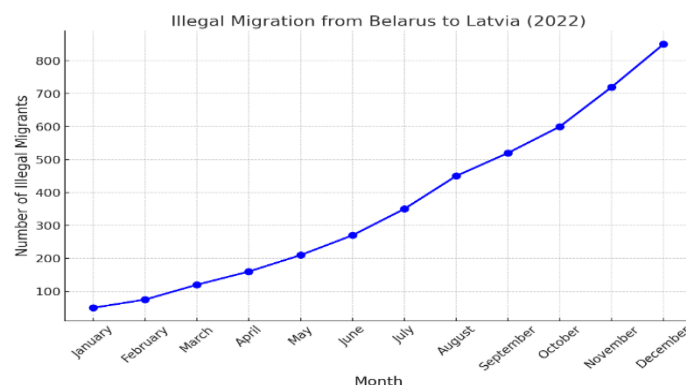


Fig.2 Indicates an increase in the number of migration cases from the Republic of Belarus to the Republic of Latvia in 2022 (created by the authors)

This figure shows the increase in the number of cases of illegal migration from the Republic of Belarus to the Republic of Latvia in 2022. The data shows a sharp and gradual increase, indicating a steady upward trend throughout the year. Such graphic representations are essential to understanding the dynamics of migration flows and to creating effective prevention and control strategies (UNHCR Forced Displacement, 2022).



Fig.3 Mass disorders on the border between Poland and Belarus
(Claudia Ciobanu, 2022)

Conclusions and suggestions

Conclusions

1. Border surveillance on the external state border of the Republic of Latvia is a set of measures that include strategically important moments that ensure national security and stability, as the external state border of Latvia is on the external border of the European Union. Timely response to threats is essential to control migration flows and mass unrest on the external state border.
2. The State Border Guard plays a crucial role in ensuring the inviolability of the external state border of Latvia. It is the initial line of defense against illegal crossing and mass unrest, especially in connection with the growing pressure from the neighboring Republic of Belarus.
3. The possibility of mass unrest on the external state border of Latvia between Latvia and Belarus poses a threat to mass unrest, threatening national security, public order and the external border of the European Union.
4. The prevention of mass unrest requires the involvement of several institutions: the State Border Guard, the State Police and other law enforcement agencies. which would include greater control in the border zone of the Republic of Latvia.

5. Effective or integrated border management (IBM) and prevention of mass unrest require international intervention, from the European Union.
6. The working study shows that the current prevention and suppression of mass unrest, as well as the control strategy, are insufficient to address the growing security problems at the external state borders of Latvia. It is necessary to improve the prevention, suppression, and control mechanisms to respond to the threat (mass unrest).
7. Mass unrest on the external state border of Latvia can be caused by various factors, illegal migration, political fragmentation, the economic situation of the country, external and internal pressure. The above-mentioned threats can cause serious consequences, including loss of human life, damage to property and public dissatisfaction.

Recommendations

1. Invest in technology and human resources to immediately detect potential places and causes of mass unrest, which would facilitate response capabilities.
2. Improve the legal and regulatory framework governing border control and the prevention and control of mass unrest.
3. Improve cooperation with neighbouring countries and EU Member States, FRONTEX, to cooperate with intelligence, compare best practices in the prevention of mass unrest at the external borders.
4. Improve the capacity of the State Border Guard and other law enforcement agencies through training, additional resources and coordination mechanisms to improve their ability to deal with complex border situations.
5. It is necessary to educate and involve local residents in the prevention of mass unrest, especially those living near the external state border.
6. Establish contingency plans that include clear instructions on the prevention of mass unrest, ensuring a coordinated and effective response of all relevant authorities.
7. Regularly implement monitoring and evaluation of preventive and control measures to assess their effectiveness and make necessary adjustments based on new challenges and threats.

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Collective Expulsion of Migrants and its Ethical and Legal Aspects in Border Management.

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Abstract. *This publication provides a multi-faceted approach, bringing together ethical and legal aspects of migrants' collective expulsion that have so far been insufficiently studied. The aim of the publication is to study the phenomenon of migrants' collective expulsion from borders, or "pushbacks", by analysing the ethical considerations and legal effects, as well as providing practical recommendations for policy-makers and human rights defenders.*

To achieve this aim, the author analyses the ethical aspects of migrants' collective expulsion by examining human rights and humanitarian reasons, studies the legal frameworks and international conventions that govern the practice of collective expulsion, compiles precedents and court judgements that illustrate the legal effects for states and concludes with recommendations for more humane and legally compliant border management practices.

Quantitative methods, analysing data and documents, case law and precedents are used in the study. The results of the study indicate that, firstly, collective expulsion violates fundamental human rights and humanitarian principles, creating deep moral dilemmas; secondly, states that engage in collective expulsion risk violating international law, which can lead to lawsuits and sanctions; thirdly, migrants who are collectively excluded experience severe psychological and physical disruptions that have long-term effects on their well-being and generate hatred. The author concludes that there is a need to promote more humane and legally correct border management practices based on respect for human dignity and international legal standards.

Keywords: *collective expulsion, ethical considerations, human rights, migrants, pushbacks.*

Introduction

The issue of collective expulsion of immigrants has not been addressed for decades by effective legal or economic means. In the European Union it has become an increasingly urgent issue due to the increase in immigration flows, political instability and strict border control measures by various countries. The ethical and legal implications of such practices are very important, as they directly affect the human rights and dignity of immigrants. This study is topical because it addresses the issue in the context of global immigration, with the aim of drawing attention to the need to balance national security concerns with the protection of individual rights. The increasing prevalence of collective expulsions calls for a careful examination of its ethical and legal dimensions in order to improve border management



policies and practices. The study covers the period when the Baltic States were confronted with a situation at their external borders that was unprecedented until 2021. For the Member States of the Schengen area, on the other hand, the problem is a long-standing one and became particularly acute in 2015 with the massive influx of migrants. There was no common understanding among Member States on how to tackle the issue. Member States reinstated internal border controls in some cases, leaving Member States with external borders to deal with living people in a foreign land alone. The global extent of the problem is illustrated, for example, by the data of “Mediterranean missing project”: “In 2015, over 4,000 refugees and migrants are known to have died at sea while trying to reach Europe and the death toll has continued to mount since. The majority of these people are not identified, and in many cases bodies are never found” (Kerasiotis & Spiliotakara, 2016). The total number of deaths of people who wanted to reach European shores is unknown, as it is not possible to collect such data. Nor is there a proper investigation into the deaths. And those who organised unsafe and criminal journeys are not being held accountable, because law enforcement cooperation has been hampered by political motives.

Politicians in many countries watched passively the situation on borders of Greece and Italy when migrants arrived there en masse, who were supposed to provide a person with what was necessary to maintain life and then legally assess their right to stay or leave the country. In practice, the countries were unable to cope with these tasks and a practice of pushbacks was practised, with scandals involving even Frontex officials. The failure of politicians to agree in time on the necessary measures to reduce illegal migration is open to criticism, forcing the authorities to choose methods that are not always legal in order to carry out their tasks.

The aim of the publication is to study the phenomenon of migrants’ collective expulsion from borders, or “pushbacks”, by analysing the ethical considerations and legal effects, as well as providing recommendations for policy-makers and human rights defenders. The study question raised by the author is whether it is possible to implement pushbacks without violating human rights.

Quantitative methods, analysing data and documents, case law and precedents are used in the study. The results of the study indicate that, firstly, collective expulsion violates fundamental human rights and humanitarian principles, creating deep moral dilemmas; secondly, states that engage in collective expulsion risk violating international law, which can lead to lawsuits and sanctions; thirdly, migrants who are collectively excluded experience severe psychological and physical disruptions that have long-term effects on their well-being and generate hatred. The author concludes that there is a need to promote more humane and legally correct border

management practices based on respect for human dignity and international legal standards.

Illegal migration and pushback

When studying the issue of “pushback practice”, it is worth clarifying the timing of its existence or emergence. And even without going into documentary research this question could be answered very quickly and simply, as such a practice is ancient, that of the migration of people. Unfortunately, in Europe today, human migration is divided into two different types, namely legal and illegal. What Filip Kaczmarek said about illegal migration back in 2007 in the debate on “Policy priorities in the fight against illegal immigration of third-country nationals”: “Illegal immigration is a somewhat paradoxical notion. [...] I saw the words 'Nobody is illegal' painted on a wall in my home town of Poznań. It is sometimes worth pausing to consider whether a human being can actually be illegal. It is not only on the Atlantic and the Mediterranean that people put their lives at risk attempting to cross the Union's borders. Last week a Chechen woman and her three young daughters died on the border between Ukraine and Poland. They were fleeing from the tragedy that has befallen their homeland. It is hardly surprising that people are trying to escape from Chechnya, and are even prepared to risk their lives to do so.

The presence of several million immigrants in Europe, who entered the Union illegally, is a very real problem. As we strive to resolve it, however, we must keep in mind the universal values that underpin European integration. We must also remember that immigration itself is not a negative phenomenon, for the very simple reason that no human being is a negative phenomenon” (Kaczmarek, 2007).

Professor A.Vilks explains that “Illegal immigration is by its very nature an illegal movement of people across national borders, in violation of the entry, transit, residence and exit procedures established by the state for foreign nationals and stateless persons” (Vilks, 2016).

It is clear from the Communication from the Commission on Policy priorities in the fight against illegal immigration of third-country nationals that the term “illegal immigration” is used to describe a variety of phenomena. It includes third-country nationals who enter Member States illegally by land, sea and air, including through airport transit zones. This often involves the use of false or falsified documents, as well as organised crime networks such as smugglers and traffickers. In addition, there is a significant number of persons who enter legally with valid visas or under a visa-free regime but stay longer than authorised without consulting the competent authorities or change the purpose of their stay; lastly, there are

the unsuccessful asylum seekers who do not leave after receiving a negative final decision (Brisele, 2006).

Giving such explanations for illegal immigration, hardly anyone has imagined that in our millennium a helpless human being would also be used by policy makers as a hybrid weapon to provoke national bodies to violate international human rights norms. It is an established fact today that, throughout the world, third countries use immigration for political purposes.

In the case of illegal immigration, this is a challenge not only for the country to which people are aspiring, but also for the person who is doing it, because not everyone is capable of travelling thousands of kilometres into obscurity.

According to the 2022 public report of the State Border Guard of the Republic of Latvia, “more than 5000 persons have been returned, no illegal entry into Latvia has been allowed, 217 persons have been admitted on humanitarian grounds. The State Border Guard has been heavily criticised by non-governmental organisations and some media, but has continued to consistently assess humanitarian considerations and to protect national border of Latvia” (VRS Gada publiskais pārskats, 2022). It should be noted that the pushback practice on land and at sea has different consequences and risks to human life.

One of the scandals involving Frontex was widely reported in numerous publications and media articles (See: Glouftsios, 2022.)

The German magazine *Der Spiegel* featured a refugee’s story of his arrival in Europe from Syria to seek shelter. But the reality turned out to be different: “Together with 21 other refugees, he had been taken in a rubber dinghy from Turkey to the Greek island of Samos. The young Syrian planned to apply for political asylum. He documented his arrival in videos. Local residents also remember the refugees.

Greek security forces captured the migrants. Under international law, it is their duty to give the new arrivals a hearing and field their applications for asylum. Instead, according to al-Badi, the officers dragged them back out to sea and released them on an inflatable rubber raft. [...] She says the Turkish coast guard held them off. Locals even have a name for the cynical game: “Greek water polo”” (Christides et al., 2020).

Such practices are not only unethical but also deeply inhumane. Empathy is gradually losing its value as a positive societal trait, being overshadowed by self-interest and indifference. As people become increasingly desensitized to the suffering of others, actions once deemed morally unacceptable are now met with apathy or even approval. This erosion of empathy threatens the foundational values of compassion and solidarity that are essential for a humane and just society.

Right to life and pushback

Article 3 of the Universal Declaration of Human Rights states that “everyone has the right to life, liberty and security of person.” Here, two crucial values—national security and the protection of human rights—are often in conflict, creating a complex challenge for policymakers and societies alike.

Statistics on immigration and international protection are collected in the European Union. However, it should be noted that under the EU framework in the field of international migration statistics, countries are free to choose the data sources. This circumstance undermines the objective data collection.

In accordance with the Regulation No. 862/2007 of the European Parliament and The Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers the Member States supply data on the number of third-country nationals refused entry to the Member State’s territory at the external border; the number of third-country nationals found to be illegally present in the Member State’s territory under national laws relating to immigration (Article 5). The number of third-country nationals found to be illegally present in the Member State who are the subject to an administrative or judicial decision or act stating or declaring that their stay is illegal and imposing an obligation to leave the territory of the Member State, disaggregated by citizenship of the persons concerned; the number of third-country nationals who have in fact left the territory of the Member State, following an administrative or judicial decision [...] (Article 7). However, no document currently requires the collection of statistics on cases of expulsion. Making it mandatory to collect this information would be essential, as such practices are, in fact, tacitly supported.

As professor A.Vilks notes, “Considering the migration problem as a whole, it must be acknowledged that illegal, undocumented and informal migration, which is not included in any form of reporting and aggregation, is particularly negative, with a process that is difficult to analyse and undetectable consequences” (Vilks, 2016).

It should be recognised here that it is almost impossible to collect data on the number of irregular migrants pushed back from borders. This could be only preliminary data.

It is worth examining what is meant by “pushbacks”. There is no internationally agreed definition of the term “pushbacks” in the area of migration. The special rapporteur on the human rights of migrants at the United Nations Office of the High Commissioner for Human Rights defines

pushbacks as “various measures taken by States which result in migrants, including asylum-seekers, being summarily forced back to the country from where they attempted to cross or have crossed an international border without access to international protection or asylum procedures or denied of any individual assessment on their protection needs which may lead to a violation of the principle of non-refoulement” (Radjenovic, 2021).

“For the purposes of this analysis, “pushbacks” are defined as operations carried out secretly— often without any records, traceability, paperwork, or procedure—by which migrants and asylum-seekers are apprehended and detained before being expelled from Greek territory” (Analyzing Greek Pushbacks: Over 20 Years of Concealed State Policy Without Accountability, 2022).

The European Court of Human Rights (ECtHR) has condemned pushback practices as collective expulsions based on Article 4 of Protocol No. 4 to the European Convention on Human Rights (ECHR). “Article 4- Prohibition of collective expulsion of aliens: Collective expulsion of aliens is prohibited” (Article 4 of Protocol No. 4 to the European Convention on Human Rights (ECHR).

“Collective expulsion” is to be understood as “any measure compelling aliens, as a group, to leave the country, except where such a measure is taken on the basis of a reasonable and objective examination of the particular case of each individual alien of the group” (Khlaifia et al., 2016).

The volume of the publication does not allow for a detailed presentation of the substance of each infringement found by the Court. The case law of the European Court of Human Rights shows that expulsion violations are a long-standing practice, as evidenced by numerous court cases. It is worthwhile for officials who are responsible for national security to study cases such as *A.A. and Others v. North Macedonia*, 2022; *N.D. and N.T. v. Spain*, 2020; *M.A. and Others v. Latvia*, 2022; *Asady and Others v. Slovakia*, 2020; *Khlaifia and Others v. Italy*, 2016; *Andric v. Sweden*, 1999.

According to the “Report for the Special Rapporteur on pushback practices and their impact on the human rights of migrants at European land borders” faced with strong evidence of pushbacks, EU countries have simply denied the reports.

Frontex is carrying out a risk analysis on external border security, which shows that the threat will continue to grow. The Annual Risk Analysis underscores the intricate geopolitical dynamics affecting Europe’s borders. With ongoing conflicts near the EU’s periphery, such as the war in Ukraine, and the continuous instability in regions like the Middle East and the Sahel, the migratory pressures on Europe remain significant. (Frontex Releases Annual Risk Analysis for 2024/2025). This is an implicit signal that the

pushback practice will need to be legalised, with procedures and cases where it is justified.

Conclusions

In conclusion, the answer to the question whether it is possible to implement pushback practice without violating human rights must be that this is not possible. Moreover, the European Court of Human Rights (ECtHR) has condemned pushback practices as collective expulsions based on Article 4 of Protocol No. 4 to the European Convention on Human Rights. Human rights violations have been and will continue to be committed unless each case is examined on its own merits. Increasingly, children, including unaccompanied children, are among the illegal immigrants, and border crossers are aware of how to act in critical situations, or are prepared to resist. The public is not informed in detail about events at the border and speculation is therefore rife. Controversial actions in the border area cannot be supported when human rights violations are taking place.

In assessing the current situation, it is clear that the situation will not change in the near future and that the number of people who want to cross the border illegally to another country will increase due to conflicts and a large part of them will be to save their lives.

Border protection is a national task and the Member States must agree on the modalities of measures, given that each of them may face this hybrid attack where the human being has become a tool.

On the other hand, it is very dangerous that pushbacks have the secret nature. In border areas, representatives of public and non-governmental organisations are not present for independent observation. States ignore calls by the CPT to effectively evaluate pushback operations.

Different interpretations of international law lead to divergent case law, violations of rights. Improving cooperation with countries of origin could improve the situation. Dialogue and constructive support are needed.

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INTEROPERABILITY FOR BORDER AND MARITIME SURVEILLANCE AND SITUATIONAL AWARENESS IN THE BORDER SECURITY ENVIRONMENT OF UKRAINE

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Abstract. *The purpose of the study is to create methodological tools, practical recommendations, draft regulatory documents and technical solutions for evaluating and ensuring the legal, organizational, semantic and technical interoperability of the border security system of Ukraine with a similar system of the European Union in the context of acquiring compliance with the requirements of European security standards (in particular, the priorities of the European Border and Coast Guard and its Agency Frontex), taking into account the differentiated conditions of the security environment of Ukraine and observance of recognized human rights;*

development of capabilities and improvement of the effectiveness of the State Border Guard Service of Ukraine and other subjects of the integrated border management of Ukraine to ensure the inviolability of the state border and protection of the sovereign rights of Ukraine in its adjacent zone and exclusive (maritime) economic zone;

increasing the efficiency of the management of the external borders of the European Union and its associated members in accordance with the goals defined, in particular Security Union Strategy [COM (2020) 795 final.], New Pact on Migration and Asylum [COM (2020) 609 final.], Strategy on the Schengen Area [COM (2021) 277 final.], Regulation (EU) 2019/1896 on the European Border and Coast Guard, Technical and operational strategy for European integrated border management.

Keywords: *border security, European border and coast guard, integrated border management, interoperability,*

Introduction

For more than thirty years, Ukraine has been building its statehood in a complex geopolitical and geostrategic environment of competing mutual influence of East and West-oriented states and their regional associations.

The de facto geospatial location of Ukraine on the “border of civilizations” (Brzezinski et al., 2006; Huntington, 1996) and the long-term struggle for survival with the Russian Federation (Decree of the President of Ukraine, 1999) have led to the irreversibility of the European and Euro-Atlantic strategic course of the Ukrainian people (Hrytsiak et al., 2013; Law of Ukraine, 2019). In view of this, on February 7, 2019, the Law of Ukraine amended the Constitution of Ukraine to determine the strategic course of the state for Ukraine's full membership in the European Union (hereinafter - the EU) and the North Atlantic Treaty Organization. Thus, the historical path of Ukraine's



development, chosen by the Ukrainian people, was enshrined at the highest legislative level.

In the process of Ukraine's European and Euro-Atlantic integration, it is important to carry out a set of reforms in the key areas of its life in order to prepare (adapt) them in advance to European and North Atlantic policies, standards, legal norms, administrative approaches, etc.

In particular, it is necessary to take into account the fact that the EU focuses on border security, for which a mechanism called “European Integrated Border Management” (EIBM) has been introduced. This mechanism envisages “national and international coordination and cooperation between all competent authorities and institutions involved in border security and international trade facilitation in order to establish effective, efficient and coordinated management of the EU's external borders in order to achieve open, but well-controlled and secure borders”. To fully implement the ENIUC, the European Border and Coast Guard (EBGS) was established, whose activities are based on the integrated framework of the European Border Surveillance System (hereinafter referred to as the EUROSUR system). The EUROSUR system is designed to monitor border security, ensure information interaction and operational cooperation of the subjects of European integrated border management in the legal field of the Schengen acquis (Regulation (EU), 2019; Regulation (EU), 2013, Special Report of the European Court of Auditors). The importance of this system for the functioning of the EIBM is, in particular, explained in the content of the EIBM Technical and Operational Strategy, which states: “Only cooperation and interoperability in all areas of policy and authorities - at the national and European levels, with third countries and with international organizations - through the full implementation of the EUROSUR system and enhanced exchange of information and intelligence through other appropriate channels, will enable effective forecasting and prevention of crises and events”.

In view of the above, for successful European integration, Ukraine needs to carry out a large-scale re-engineering of the national border security system to ensure its full compatibility with the European one, which operates on the basis of EUROSUR. In particular, the creation of methodological tools, practical recommendations, draft regulations and technical solutions to assess and ensure the legal (legal), organizational, semantic and technical interoperability of Ukraine's border security system with a similar system of the European Union in the context of gaining compliance with the requirements of European security standards (in particular, the priorities of the European Border and Coast Guard and its Frontex Agency), taking into account the differentiating features of the Ukrainian system.

At the same time, there are no comprehensive studies in Ukraine that consider the aspects of the formation of the national SPSS - an interoperable analog of the EUROSUR system - from the standpoint of a systematic approach.

Also, this issue is not addressed in the current regulatory framework. Therefore, we can objectively state that the task of ensuring interoperability between the SIS and the EUROSUR system is important in the context of Ukraine's European integration, but remains unexplored and legally unclear, which makes it highly relevant.

Thus, there is a discrepancy between the declaration in the legislation of Ukraine of the intention to integrate into Europe (in particular, the implementation of European border security standards), on the one hand, and the lack of organizational, regulatory and legal framework, methodological apparatus and design (technical) solutions for the formation of the BMS.

The scientific task of the study is aimed at eliminating this discrepancy and consists in the theoretical substantiation of the regulatory, legal, organizational and methodological frameworks necessary for the formation of a border security monitoring system as a comprehensive basis for the integrated border management mechanism in the context of Ukraine's European integration.

The purpose of the study is to substantiate the scientific basis for regulating the formation of a border security monitoring system in the context of Ukraine's European integration and to propose proposals to the authorities for its implementation.

Limitations: in this article, we do not study the problems of ensuring border security related to the full-scale armed invasion of the Russian Federation.

Analysis of existing approaches to monitoring the border security space of Ukraine and systematization of factors influencing the formation of a promising BMSMS

Body. The need to increase efficiency in various aspects of the State Border Guard Service of Ukraine and ensure that its capabilities meet modern needs to adequately identify and respond to threats to border security determine the priority and scale of tasks for its further reform, and necessitate more thorough strategic planning and management, in particular, to determine the appropriate stages and measures for introducing the latest border security technologies, attracting scientific and

The goal of further development of the State Border Guard Service of Ukraine is to minimize threats to Ukraine's border security, ensure the implementation of the state's strategic course towards full membership in the European Union and NATO, and strengthen the role of the State Border Guard Service of Ukraine in combating cross-border and transnational crime.

Within the framework of this strategic goal, we focus on the formation and effective functioning of border and maritime surveillance systems, situational awareness for the purpose of developing high-quality solutions to counteract threats to border security.

In this context, analyzing the current state of Ukraine's border security environment is relevant in the national, regional and international security aspects.

The results of the analysis of current threats to border security and the peculiarities of the system of countering them indicate that, despite the use of available forces and means and various ways of performing tasks, the achievements of the subjects of integrated state border management (ISBM) remain clearly insufficient.

The above facts show that today the level of offenses related to the illegal transportation of persons, weapons, terrorist means, drugs and other types of contraband across the BC is unacceptable.

At the same time, the Integrated Border Management Strategy for the period up to 2025 (On approval 2019) states that: border protection outside checkpoints is complicated by a number of factors that were not resolved in previous years, in particular, the insufficient level of engineering and technical equipment and logistical support for state border protection; a technically imperfect and fragmented system of monitoring shipping and covering the maritime situation does not allow the concerned agencies to have complete operational information about the situation at sea, including during search and rescue operations.

Thus, despite certain achievements, the problem of organizing a continuous surveillance zone on the land section of the BC is still difficult to solve, where the basis for strengthening the protection of the BC should be provided by such technical means of surveillance of the border space of land, sea, air and space-based.

The tense, dynamic and unpredictable situation at the state border significantly affects the ability of the border security system of Ukraine to perform its tasks and, in particular, requires the authorized state authorities to: significantly improve the quality (timeliness, completeness and objectivity) of information support (situational awareness) on the state of the border security environment of Ukraine;

developing the capabilities and increasing the efficiency of the State Border Guard Service of Ukraine and other entities of the integrated management of the state border of Ukraine to ensure the inviolability of the state border and protection of Ukraine's sovereign rights in its adjacent zone and exclusive (maritime) economic zone;

effective cooperation with the EU institutions in the management of the external borders of the European Union and its associated members in accordance with the objectives set out in, inter alia, the Security Union Strategy [COM (2020) 795 final], the New Pact on Migration and Asylum [COM (2020) 609 final], the Strategy on the Schengen Area [COM (2021) 277 final], Regulation (EU) 2019/1896 on the European Border and Coast Guard,

Technical and operational strategy for European integrated border management.

Important aspects of the formation of the Ukrainian SBGS are the engineering and technical arrangement of the state border, its engineering and aviation support, maritime and satellite surveillance.

Building up engineering and technical capacities at the SC of Ukraine is envisaged in the legal framework for strategic planning. The main documents include: The Concept for the Development of the Security and Defense Sector of Ukraine, the Concept of Integrated Border Management, the Strategy for Integrated Border Management until 2025, the Strategy for the Development of the State Border Guard Service of Ukraine, the Strategy for the Development of the System of Protection and Engineering and Technical Equipment of the State Border of Ukraine for the Period up to 2030, as well as annual action plans of the Government and agencies for their implementation.

For example, the main ones are:

Increasing the number of SBGS bodies and units, creating infrastructure to support their activities and strengthening their technical equipment;

creation of a system of engineering structures, arrangement of places of service and strongholds of the state border guard units;

modernization of the departmental system of radio, thermal imaging and visual surveillance in the maritime area of the state border, development of information interaction with the Navy of the Armed Forces;

introduction of unmanned aerial systems for state border protection, etc.

The results of the analysis of the functioning of the monitoring systems of the world's leading countries allow us to decompose the technological process of border security monitoring, which is a necessary procedure for diagnosing the existing potential of the SBGS, i.e., comparing the real monitoring mechanism with the abstract (reference) model (Table 1).

Table 1 Decomposition of the technological process of border security monitoring

General stages of monitoring	Main forces and means of monitoring
I - obtaining sufficient primary information about the state of the border area in the areas of responsibility in a time mode close to real time with the help of various forces and means and entering it into a specialized integrated information and telecommunication system.	Personnel. Technical means of surveillance of the border space of land, sea, air and space-based. Integrated information and telecommunication system. Software for entering primary data.
II – processing of primary information in an integrated information and telecommunication system for the subsequent formation of local and national situational pictures.	Integrated information and telecommunication system. Risk analysis and geospatial analysis software.

III – qualitative (timely, complete and objective) awareness of stakeholders in order to ensure their adequate and systematic response to threats to border security and minimize vulnerabilities of the border security system.	Integrated information and telecommunication system and/or other means of communication.
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(Source: compiled by the authors)

The priority and scale of the tasks of engineering and technical arrangement of the state border necessitate its strategic planning, in particular, to determine the appropriate stages and measures for the introduction of the latest security technologies, to attract the scientific and production potential of Ukraine, foreign countries and technical assistance from international organizations, as well as to improve coordination and interaction between border security actors at all levels (border, national, interstate and international).

The above analysis (On approval 2019) shows that the SBGSU's existing approaches to border security monitoring have significant vulnerabilities that need to be addressed to ensure effective counteraction to threats and compatibility with the EUROSUR system, and thus the full implementation of the IBM mechanism at all levels.

Conclusions and suggestions

This article provides a general description of the vision of ensuring the border security of Ukraine, systematizes the factors influencing the formation of a promising system for monitoring the border security of Ukraine, and highlights the formulation of the relevant scientific task.

The author establishes that the number of sources and the rate of receipt of heterogeneous information about events and processes in the border area are constantly growing, which correlates with the technological progress of society and the activities of the subjects of integrated border management. Therefore, one of the main principles of ensuring the border security of Ukraine is the high-quality (timely, complete and reliable) provision of information to the subjects of integrated border management at various levels necessary for making management decisions.

At the same time, the SBGS approaches to border security monitoring have significant vulnerabilities. This indicates the need to launch a large-scale strategic project to modernize Ukraine's border security monitoring system, interoperable with a similar EU system.

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STRENGTHENING LATVIAN IMMIGRATION POLICY IN THE CONTEXT OF NATIONAL SECURITY AND GEOPOLITICS

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Abstract. *The international security environment is currently characterised by a growing intensity of conflicts varying in scale. The ongoing Russian war in Ukraine is the largest long-term threat to the Latvia's security, Baltic region and the entire European security architecture. Latvia's security underwent several important developments in 2022, as several important decisions were taken to strengthen the security of the Baltic States. On 22 September 2022, the Latvian Parliament supported amendments to the Immigration Law providing for stricter conditions for issuing residence permits to Russian and Belarusian citizens. The Ministry of the Interior, as the leading state administration institution in strengthening the state border, has also implemented several significant measures since 2022 in strengthening the state border, preventing illegal immigration and criminal offences. The protection of the democratic form of government is a generally accepted priority of Latvia, especially in the current geopolitical context; however, it must be concluded that the public's attitude towards several immigration policy issues remains somewhat ambiguous. In 2024, the Constitutional Court passed a judgement on the compliance of the provisions of the Immigration Law with the Constitution in relation to the issuance of permanent residence permits to the citizens of the Russian Federation. In addition, on 20 June 2024, with the decision of the Department of Administrative Cases of the Supreme Court Senate, legal proceedings in the case, in which a Russian citizen requested issuance of a temporary residence permit, were concluded. The aim of the article is to explore the current issues of immigration policy in Latvia and to delve into the perspectives of strengthening the national border in the context of national security and global geopolitics.*

Keywords: *immigration, residence permits, state border, security, threats.*

Introduction

On 24 February 2022, the Russian Federation launched a war on the territory of the Republic of Ukraine aimed at the destruction of Ukraine's territorial integrity, sovereignty, and independence. Must agree with the Latvian Ombudsman, in response to the military invasion of Ukrainian territory and the violence perpetrated by Russian military units against civilians, as well as the systematic destruction of civilian infrastructure, EU Member States adopted a package of sanctions against Russia's financial, energy, technology, defence, transport, and media sectors. (Tiesībsargs, 2023). Russia's aggression against Ukraine has radically changed the bilateral relations between Latvia and Russia. Most of the bilateral relations have either been suspended or reduced to the minimum necessary level. (LR

Ārlietu ministrija, 2022). On 11 August 2022, the Latvian Parliament adopted a statement on Russia's targeted military attacks against civilians and public areas in Ukraine, recognising Russia's violence against civilians as terrorism and Russia as a state sponsor of terrorism (LR Saeima, 2022).

The amendments to the Immigration Law adopted on 22 September 2022 provide for the suspension of issuing initial temporary residence permits to citizens of the Russian Federation and the Republic of Belarus, as well as a review of residence conditions for citizens of the Russian Federation (Grozījumi Imigrācijas likumā, 2022). The amendments are essential in reducing the influence of Russia and Belarus on Latvia's sectoral policies and narrowing the framework for maintaining mutual relations as much as possible. In accordance with Paragraph 5 of the Amendments, Paragraph 8 of Section 24(1) of the Immigration Law is hereby excluded. Additionally, the Transitional Provisions are supplemented with new Paragraphs 58 and 59 (Grozījumi Imigrācijas likumā, 2022). This means that in the future, citizens and non-citizens of Latvia who wish to become a citizen of another country and continue to reside in Latvia will have to pass a test of the official language proficiency and prove regular and sufficient financial resources (Iekšlietu ministrija, 2022). Currently (since 3 January 2024), all permanent residence permits issued to citizens of the Russian Federation, issued in accordance with Section 24, Paragraph one, Clause 8 of the Immigration Law, have ceased to be valid, if persons had not submitted an application to the Office of Citizenship and Migration Affairs requesting the status of EU long-term resident by 2 January 2024 (Pilsonības un migrācijas lietu pārvalde, 2023).

In response to current geopolitical conditions and potential threats, countries may adjust entry and residence requirements for foreigners. Such changes are particularly relevant for Latvia currently however, the author concludes that the immigration policy of Latvia and Russia as an external threat are perceived ambiguously on various public platforms. In 2023, four cases were brought before the Constitutional Court on the constitutionality of the norms included in the Immigration Law, which concern the issuance of permanent residence permits to citizens of the Russian Federation (Satversmes tiesa, 2024). Since 2022, several law enforcement authorities and institutions have received submissions and e-mails pointing to a series of allegedly disproportionate restrictions that have arisen or will arise in the event that former Latvian citizens or non-citizens who accepted Russian citizenship will not be able to comply with the requirements set by the State in a timely manner (Tiesībsargs, 2023).

The core research object of the article is security, where appropriate immigration policy forms one of the essential elements of national security. Within the framework of the article, the research of the immigration policy of Latvia covers such interdisciplinary areas of security as economic,

political, military, public security, and at the same time also covers the catalogue of fundamental human rights. The article is developed on the basis of extensive quantitative and qualitative data, which provides a comprehensive and in-depth understanding of the subject under investigation. Quantitative data (analysis of the dynamics of the immigration and security situation in conjunction with the quantified geopolitical processes) were used to analyse the impact of the current immigration policy on national security, also highlighting specific topical issues of fundamental rights. Qualitative data (a broad analysis of security theories, legislation, legal policy documents, official documents and reports of law enforcement authorities) revealed a deeper understanding of the importance of strengthening immigration policy in the context of national security and geopolitics.

Trends in international migration and EU policy developments

One of the most significant phenomena promoted by the EU is the freedom to move and reside in any EU member state (Article 3(2) TEU, Article 21 TFEU, Article 45 of the Charter of Fundamental Rights of the European Union), which, in the common European area and also in the case of Latvia signifies a substantial impact on the demographic situation, namely a rapid and unpredictable increase in international migration (Indāns, 2014). The migration process, by its nature, is based on the principle of interdependence, i.e., it is undoubtedly influenced by both geopolitical tendencies and the development of EU policy.

In 2023, there were 184 million international migrants worldwide – 2.3% of the global population. These people were born in one country but live in another (World Development Report 2023: Migrants, Refugees, and Societies, 2023). As a destination, Europe currently attracts more than 50% of the world's total migrant population, with Germany, Spain and France remaining the most popular European countries for requesting asylum. Migration in Europe was particularly affected by Russia's invasion of Ukraine, which forced millions of people to flee their homes. According to UNHCR, more than 20 million border crossings from Ukraine have been recorded since the beginning of the war. Ukrainians mainly travelled to Poland, Romania, Hungary, Slovakia, the Czech Republic and Moldova (Asylum and migration in the EU: facts and figures, 2022).

Over the last decade, the migration process has become a key issue on the international agenda. Several academic studies and publications highlight two opposing approaches to the development of the international migration process. Liberals believe that international migration promotes

openness, cooperation, inclusion, cultural diversity, and respect for human rights. Migration can be economically and socially beneficial for both migrants and host societies. On the other hand, the conservative approach is based on the assumption that international migration worsens the situation of migrants, leading to social discrimination and limited opportunities for integration into society (Haas et al., 2020). This approach considers that the host countries suffer significant social costs linked to the integration of migrants, such as additional spending on education, health, and social security. It is also believed that migration contributes to the segregation of society by creating isolated communities with different cultural and social norms, which can create tensions between different groups in society and threaten the national identity and unity of the country (Guarino, 2024)

The study *Migration as Crisis* shows that there is indeed a global migration crisis. Experts of the study point to the growing number of migrants, the complex social, security and economic challenges, as well as the need for international cooperation and a more effective migration policy. (Cantat et al., 2023). One of the main objectives of the EU is a progressive and comprehensive European immigration policy based on the principle of solidarity. Immigration policy aims to establish a balanced approach to dealing with both regular and irregular immigration issues (Immigration policy, Fact Sheets on the European Union, 2024), but it must be recognised that immigration policy at European level is in many respects unstable. This conclusion can be attributed to the fact that the formation and development of migration depends simultaneously on factors of global geopolitics and socio-political factors of national interests of the Member States. To address a number of challenges that arose during the migrant crisis 10 years ago and also the current issues, the EU took rapid steps to reform its migration and asylum policy, ensuring a shared responsibility of all Member States. In spring 2024, the European Parliament adopted the new EU Migration and Asylum Pact. The idea is based on 10 laws to introduce uniform rules across the EU on asylum procedures, border checks, faster protection for asylum seekers, faster return if asylum is denied, greater protection for minors and families with children (Hronolģisks pārskats - Migrācijas un patvēruma pakts, 2024).

The Migration and Asylum Pact, expected to be in place in 2026, will establish a flexible but mandatory solidarity mechanism between Member States. The author notes that it will be up to the Member States to set up monitoring mechanisms to guarantee respect for the fundamental rights of asylum seekers, while assessing their entry into the EU. There is now a new compromise found with the adoption of the EU Migration and Asylum Pact on strengthening freedom, security, justice, and shared responsibility in the EU, which underpins further developments in the area of migration. The new

political initiatives are not considered to be completed. According to the author, migration policy will largely remain a traditional national matter, where European values may at times conflict with national interests. However, the EU aims to work toward a balanced, effective, and secure approach to migration policy development and implementation.

Content of Latvia's immigration policy

Each EU country sets its own national immigration policy. It is free to determine entry procedures, the types of work available to immigrants, their countries of origin and the number of people allowed to enter the country (Indāns, 2012). The Latvian Office of Citizenship and Migration Affairs (OCMA) is responsible for immigration policy in Latvia, the aim of which is to ensure the management and implementation of migration, asylum, determination of the legal status of persons, population registration and documentation processes in accordance with the interests of the State (Pilsonības un migrācijas lietu pārvaldes nolikums, 2021).

However, it cannot be considered that the implementation of immigration policy is the competence and responsibility of a single authority. Immigration policy also includes integration issues, where the Ministry of Culture is responsible for integration policy in Latvia (Kultūras ministrijas nolikums, 4.7.¹ punkts). It should be noted that in addition to the Ministry of the Interior and the Ministry of Culture, the Ministry of Education and Science, the Ministry of Foreign Affairs, the Ministry of Welfare, the former Ministry of Environmental Protection and Regional Development, now the Ministry of Smart Administration and Regional Development, the Society Integration Foundation and non-governmental organisations are also involved in the implementation of immigration policy (Report on Migration and Asylum in Latvia, 2018)

The legal and institutional framework of the immigration policy of Latvia is determined by the Immigration Law, which determines the procedures for the entry, stay, transit, exit and detention of foreigners, as well as the procedures by which foreigners are kept under temporary custody in the Republic of Latvia and returned from it in order to ensure the implementation of migration policy conforming with the norms of international law and the State interests of Latvia (Imigrācijas likums, 2002).

By studying theoretical models based on the experience of different countries in the development of migration policy, the author outlines two dominant theories. The Dutch sociologist Hein de Hass highlights an economic theory based on classical cost-benefit calculations (Hass, 2008). People only move when migration brings them some social or economic benefit. In this respect, the positive approach of the state is mainly based on

attracting immigrants to the development of economic well-being. Immigration can be an important driver of economic growth - migration can increase labour supply, stimulate prosperity, innovation that can provide better life opportunities for the local population in the long term.

The second - bureaucratic theory, which strictly regulates the issues of reception and residence of migrants, determines their behavioural patterns and also the process of integration. The bureaucratic approach is mainly based on the application of the law, which determines how migrants can stay in the country, work, study and use social services. The negative approach of the state is aimed at limiting and controlling migration, often introducing stricter norms of immigration law, providing for various restrictions or strengthening border control.

In practice, countries opt for different approaches to these issues. At a time when the world is experiencing geopolitical turmoil, the Declaration on the Intended Activities of the Cabinet of Ministers headed by Evika Siliņa in the Field of Immigration Policy basically outlines the state and public security context - the priority is to build a comprehensive state defence system, complete the construction of a fence on the border with Belarus and Russia, support the acquisition of the Latvian language as the basis of a united society. Despite the fact that in the case of Latvia so far, the policy has been dominated by a bureaucratic-regulatory approach to migration issues, the positioning of Latvia has changed over the last few years. In parallel with a restrictive strategy, Latvia also recognises the prospects of promoting economic growth in the development of migration policy. The Government Declaration also identifies the implementation of an immigration policy geared to supporting economic growth as one of its priorities. Namely, to develop controlled labour immigration conditions, and to provide a simplified procedure for attracting labour in priority sectors of the national economy (Deklarācija par Evikas Siliņas vadītā Ministru kabineta iecerēto darbību, 2023).

It should be concluded that the content of the current immigration policy of Latvia marks the features of both bureaucratic controlling and economic growth strategy. This is evidenced, first of all, by the statistical dynamics of recent years - the right to employment granted to third-country nationals and the residence permits issued for the first time in relation to employment in Latvia. The total number of employment rights granted to third-country nationals was 19 731 in 2022 and 18 983 in 2023. Most work in the field of land transport and pipeline transport, construction and civil engineering, computer programming and consulting. The number of residence permits issued for the first time for employment to third-country nationals has also increased: 3 566 in 2022 and 3 843 in 2023 (Ziņojums par migrācijas un patvēruma situāciju Latvijā 2023. gadā, 2023).

Another important aspect to which the author wishes to draw attention concerns the protection of the official language policy in Latvia. The language policy in Latvia requires all citizens to attain proficiency in the Latvian language to facilitate effective communication and integration within society. The amendments to the Immigration Law of 22 September 2022 provide for the procedure that Russian citizens residing in Latvia who have previously been citizens or non-citizens of Latvia, as well as other third-country nationals, must certify the acquisition of the official language in order to obtain a permanent residence permit (*Ziņojums par migrācijas un patvēruma situāciju Latvijā 2023. gadā*, 2023). The author concludes that numerous public discussions have taken place regarding recent amendments to the Immigration Law and the activities of Russian citizens related to obtaining residence rights in Latvia. One of the innovations that has been widely discussed in the public space is taking the state language test in a dedicated information system. Since 2023, Russian citizens who were subject to the amendments to the Immigration Law have to undergo state language proficiency test, but in this regard, the Ombudsman has outlined some problems - Cabinet Regulations do not provide for a flexible testing procedure for those who have a low level of digital literacy. Also, the Ombudsman highlights the issues related to the age limits of the persons in question. The Cabinet Regulation lays down the procedure that persons who have reached the age of 75 years are exempted from taking the Latvian language proficiency test for obtaining a permanent residence permit.

The past few years have been a time of increasing conflict intensity and unpredictability of the international environment, and Russia's war against Ukraine has been and remains the greatest long-term threat to the entire international community. The principle of the protection of legitimate expectations does not preclude an individual's previously acquired rights from being altered in a legal manner. Namely, that principle does not give grounds for believing that the legal situation once established will never change, but allows, and in certain circumstances even requires the existing legal framework to be amended. Otherwise, the State would not be able to respond adequately to changing conditions (*Satversmes tiesas 2020. gada 11. decembra spriedums lietā Nr. 2020-26-0106*, 2020). On the one hand, the author of legal provisions is obliged to follow the current situation in a particular field and, if necessary, to amend previously adopted legal norms by assessing the interests and needs of the State and society. Similarly, individuals themselves must take into account the fact that the legal situation may change (*Tiesībsargs*, 2023). On the other hand, in this situation, however, it would also be worth paying particular attention to the discussions on compliance with the principles of proportionality and legal

equality. Amendments to the Immigration Law in the context of national security and geopolitics are further discussed below.

Amendments to the Immigration Law in the Context of National Security and Geopolitics

Since 2023, a significant topic of discussion has centered around amendments to Latvia's immigration laws, particularly regarding the activities of Russian citizens seeking to obtain residence rights in Latvia. The discussion, which features both human rights and security aspects, is also causing considerable controversy between different institutions and groups of the society. In the course of 2023, Russian citizens who were subject to the amendments to the Immigration Law had to pass the state language proficiency tests. The Ministry of the Interior informed that at the end of the first stage of the official language proficiency test, which was set until 1 September 2023, it was concluded that a large part of the persons who had passed the state language proficiency test had not been able to pass it at least to the minimum required level of knowledge (*Ziņojums par migrācijas un patvēruma situāciju Latvijā 2023. gadā*, 2023). Only 39% of applicants were able to pass the test on the first attempt (*Vairums Krievijas pilsoņu latviešu valodas pārbaudi nav nokārtojuši*, LETA, 2023).

Meanwhile, following an application by several natural persons, the Constitutional Court examined the joined case “On Compliance of Para 58 of Transitional Provisions of the Immigration Law and Section 5 of the Law of 22 September 2022 “Amendments to the Immigration Law”, insofar it excludes Para 8 of Section 24 (1) of the Immigration Law, with Article 1, the first sentence of Article 91 and Article 96 of the Constitution of the Republic of Latvia, as well as Article 4 of Protocol 4 to the European Convention for the Protection of Human Rights and Fundamental Freedoms” (*Satversmes tiesa*, 2024).

On 15 February 2024, the Constitutional Court pronounced a judgment in the case on permanent residence permits for citizens of the Russian Federation, recognising that Para 58 of the Transitional Provisions of the Immigration Law in its current wording complies with the Constitution. The Court concluded that, in essence, the contested norm, when considered systemically in conjunction with other legal norms, provides citizens of the Russian Federation with a real opportunity to acquire a new legal basis in order to continue to reside in the territory of Latvia, provided that the person himself or herself is motivated to perform the necessary actions. This ensures that they can continue to maintain social ties that have already been established (*Ziņojums par migrācijas un patvēruma situāciju Latvijā 2023. gadā*, 2023).

However, the contested regulation cannot be assessed unequivocally positively, both from the point of view of the principle of legitimate expectations and from the point of view of proportionality and legal equality. Latvia, as a state governed by the rule of law, when safeguarding its security and taking measures to prevent security risks, must comply with the principle of good governance, and when setting restrictions, one must look at their proportionality, ensure that the obligations and requirements imposed by the state during the relevant period of time are realistic and that the law enforcement mechanisms are accessible and effective (Tiesībsargs, 2023). However, ensuring national security is a fundamental duty of the state and Russia's invasion of Ukraine is a reminder of the fragility of national independence. Several parallels can be drawn between the war in Ukraine and the situation in Latvia, because, just as in Ukraine, there is a large Russian diaspora in Latvia. In addition, similarly to Ukraine, where many people have been prepared to provide support to the Russian occupation forces, there are many pro-Kremlin entities operating in Latvia (Satversmes tiesa, 2024).

There is no doubt that the aggressive actions of the Russian Federation do not automatically apply to all its citizens. Moreover, as J. Neimanis, the Justice of the Constitutional Court, notes, the hostilities in Ukraine are much more complicated, because it should be honestly admitted that the Republic of Belarus also participates in them. Thus, consistent action by the legislator in the legal aspects of immigration should also be expected against citizens of this country who are permanently residing in Latvia, insofar it is justified by the objective of protecting national security (Satversmes tiesas tiesneša atsevišķās domas, 2024). However, the author of the article will try to refute the arguments that protect the citizens of the Russian Federation. Russian citizenship is one of the risk factors that cannot be ignored when considering the protection of national security. Both the European Union and Latvia have recognised the Russian Federation as a state sponsor of terrorism. Latvia, even before the amendments to the Immigration Law, imposed a mandatory in-depth vetting of citizens of the Russian Federation before issuing any visa or residence permit. Thus, citizens of the Russian Federation are equated, in terms of security risks, with citizens of countries such as the Islamic Republic of Afghanistan, the Republic of Iraq and the Islamic Republic of Iran (Satversmes tiesa, 2024).

The warfare perpetrated by the Russian Federation violates its obligations under Article 2 of the UN Charter and mandatory rules of international law. Under modern international law, any state has the right to take measures against a state that violates its obligations towards the international community as a whole, aimed at ensuring the prevention and reparation of violations in the interests of the affected state. Furthermore, all states have a duty to cooperate in order to bring to an end, by legal means,

serious and systematic violations of the relevant norms (Satversmes tiesa, 2024).

Conclusion

Ensuring national security is a core responsibility of any state, encompassing internal and external threats. In this context, appropriate immigration policy serves as a crucial tool for managing and minimizing security risks. By regulating the movement of people across borders, a state can control who enters and remains within its territory, helping to protect against potential threats. The state possesses a certain level of discretion in this domain, granting it the ability to evaluate various national security threats and modify immigration policies as needed. This flexibility allows the state to adjust its approach in response to changing security dynamics.

When analyzing a constraint on an individual's fundamental rights within a legal context, it's important to consider the broader political and global factors at play. The changes to immigration policy were implemented due to the Russian invasion of Ukraine and the growing need to strengthen Latvia's national security. The geopolitical situation in the Baltic Sea region has been profoundly impacted by Russia's rising military aggression and the use of hybrid strategies over an extended period. Latvia, in particular, faces escalating national security threats, with Russia leveraging information operations, disinformation, and propaganda as key tools in its destabilizing efforts (State Security Service, 2024).

In this context, it can be concluded that if legal measures have been implemented with consideration of the geopolitical landscape to reduce the risk of compromising Latvia's sovereignty and democratic structure, then these measures serve legitimate purposes, as they aim to safeguard both democratic governance and public safety.

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POSSIBILITIES AND CHALLENGES OF PREDICTIVE PROFILING IN THE STATE BORDER GUARD

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Abstract. *The paper is aimed to investigate the role of predictive profiling (hereafter PP) in the fight against cross-border crime and terrorism. The main tasks of the article are to describe the content of PP, the added value of its implementation and how it can be used in the State Border Guard Service of the Republic of Latvia (hereafter SBGS) as a complement to risk assessment in operational situations. The authors of the paper explores the content of the PP implemented in the Royal Netherlands Marechaussee (hereafter KMar), as well as in Slovakia, Spain and several Central Asia region countries. For this purpose analysis and evaluation of documents, scientific, pedagogical and psychological literature was performed and suggestions for the improvement of border guard service threat detection system in the field of PP were compiled.*

The paper outlines the goal of PP, which is to identify, assess, and take action on a potential criminal or terrorist threat as early as possible (preferably during preparatory actions). Deviant behaviour in combination with Attacker Method of Operation forms a key concept. The AMO provides the indicators for the deviant behaviour. Furthermore, the paper delves into the system of PP and its corresponding process steps. PP is focused on the threat, not the risk, making it a threat analysis.

Keywords: *border guard, predictive, profiling, risk, threat.*

History of Predictive Profiling

The foundation for PP was laid by Colonel *John Boyd* of the US Air Force, who became America's most influential military theorist. He established the basis for thinking about profiling and had a significant influence on assessment and decision-making processes within the US military through his theories, particularly the OODA (Observe, Orient, Decide, Act) loop (also known as the “decision cycle”), which was developed to help pilots make quick decisions when engaging in air combat (Boyd, 1996).

American professor *Paul Ekman* originally focused on nonverbal behaviour and by the mid-1960's concentrated on the expression and physiology of emotion. He has also had a long-standing interest in interpersonal deception. To train police and other people's profiling skills Paul Ekman used simulators that were developed based on the FACS (face signals description).

In the late of 1970s, profiling was firstly applied by Israeli airline “El-Al” during ramp inspections in response to growing extremist terrorist

<https://doi.org/10.17770/bsm.v5i10.8306>

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activities. It was a direct response to the attack on *Lod* airport (now *Ben Gurion* Airport) in Tel Aviv by the Japanese Red Army, recruited by a Palestinian extremist group, which resulted in many casualties on May 30th, 1972 (NPA, 2024).

The first successful implementation of PP took place during the “*Hindawi Affair*”, where EL AL security personnel prevented an attack on an EL AL flight from London to Tel Aviv. The technique was later refined by Israeli Intelligence and Security Services.

After the September 11th, 2001 attacks, profiling techniques were further developed by mainly American intelligence agencies. Today, these techniques are applied worldwide by law enforcement authorities and became very interesting for commercial applications.

PP stands out because it focuses on identifying behaviour that deviates from the norm, specifically related to the *modus operandi* of criminals or terrorists. This is in contrast to the approach of Israeli services before the *Hindawi* incident (Staff, 2021), where ethnicity and gender were emphasized. This changed, particularly after the first and second *intifadas* (Palestinian uprisings), during which terrorist organizations started using women and children as suicide bombers. This *modus operandi* was also frequently employed by terrorist organizations like the *Tamil Tigers* in Sri Lanka (Britannica, 2024).

Boyd's OODA Loop

The cyclical, dynamic OODA process was originally introduced by United States Air Force Col. John Boyd as a strategic method for conceptualizing battlefield decision making. Boyd proposed that successful military decision making required fast, agile human decisions, not just larger machines or more deadly weaponry. His tactical theories derived from his studies of fighter pilot combat dogfights (both Korean and Vietnam Wars) and historical combat strategy dating back to Sun Tzu (Boyd, 1987). He argued that the goal of military tactics should be to operate in a manner to get inside of the adversary's decisions and actions, to “...enmesh the adversary in a world of uncertainty, doubt, mistrust, confusion, disorder, fear, panic, chaos, ... and/ or fold adversary back inside himself so that he cannot cope with events/efforts as they unfold” (Boyd, 1987). The aim of this model is to make decisions and take action faster than the opponent, thereby neutralising and defeating them. This is achieved by anticipating the opponent's next move (essentially putting oneself in their shoes) and reacting faster than they can adapt.

Note importantly that the OODA loop is a conceptual or descriptive model, not a detailed process model. Indeed, it is often reported, or

criticized, for being one of the more high-level descriptions of time critical decision making (Azuma et al., 2006). The OODA loop might be thought of as a simple representation of a control process, where the internal operations of the human adjust to the external changes in the environment. However, though there is a tendency for some accounts of the OODA loop to draw a simple 4-stage loop, the OODA loop as originally conceived is not that simple (Blaha, 2018).

The OODA Loop is an extremely effective thinking and decision-making model presented in the form of a circular process and can be seen as a comprehensive system. The OODA Loop, considered an interaction model with the environment, consists of four sequential steps (Boyd, 2018):

- **Observe/Perceive:** The first step is to identify the problem or threat and gain an overall understanding of the internal and external environment. In the military world – gathering data through observation. In the corporate world, this can be equated to collecting current information from many sources as quickly as possible and be prepared to make decisions based on it.
- **Orient/Analyse:** Analysing, interpreting and reflecting on what has been found during observations and considering what should be done next with purpose to update organisation current reality. The Orient phase requires a significant level of situational awareness and understanding to make a conscious decision. Since some decisions are unconscious or instinctual, this step involves considering what and why decisions are made prior to choosing a course of action. When applied on an individual level, the Orient step can be performed by creating mental models or mental rehearsal drills to place information into narratives that shape judgement. In organizational applications, situational models can be created with machine learning tools to identify potential outcomes, while removing any bias.
- **Decide:** This phase makes suggestions toward an action or response plan, taking into consideration all potential outcomes. This can be accomplished through meetings or discussions that are focused on creating a roadmap for the entire organization.
- **Act:** Action pertains to carrying out the decision and related changes that need to be made in response to the decision. This step might also include any testing that is required before officially carrying out an action, such as compatibility or A/B testing.

These phases have been broken out for the purposes of explanation, but in some real-world scenarios, they might happen in a fraction of a second. One key to the success of the OODA loop is to make it as short as possible, minimizing reaction times in high-stakes situations. The ability to

make decisions faster than an opponent is important, but it is not only about speed. Tempo – frequency – is also critical, as the ability to rapidly speed up and slow down can generate unpredictability. Being unpredictable makes it difficult for opponents to understand and adjust themselves to what happens next. Cycling through an OODA loop with more tempo than an opponent gives an organization more control of the environment and a better chance of succeeding.

Observing and orienting correctly are key to making a successful decision. If these steps are flawed, they'll lead individual to a flawed decision and subsequently a flawed action. So while speed is important, so is improving individual analytical skills and being able to see what's really happening.

The figure 1, demonstrates that the OODA loop operates as a system.

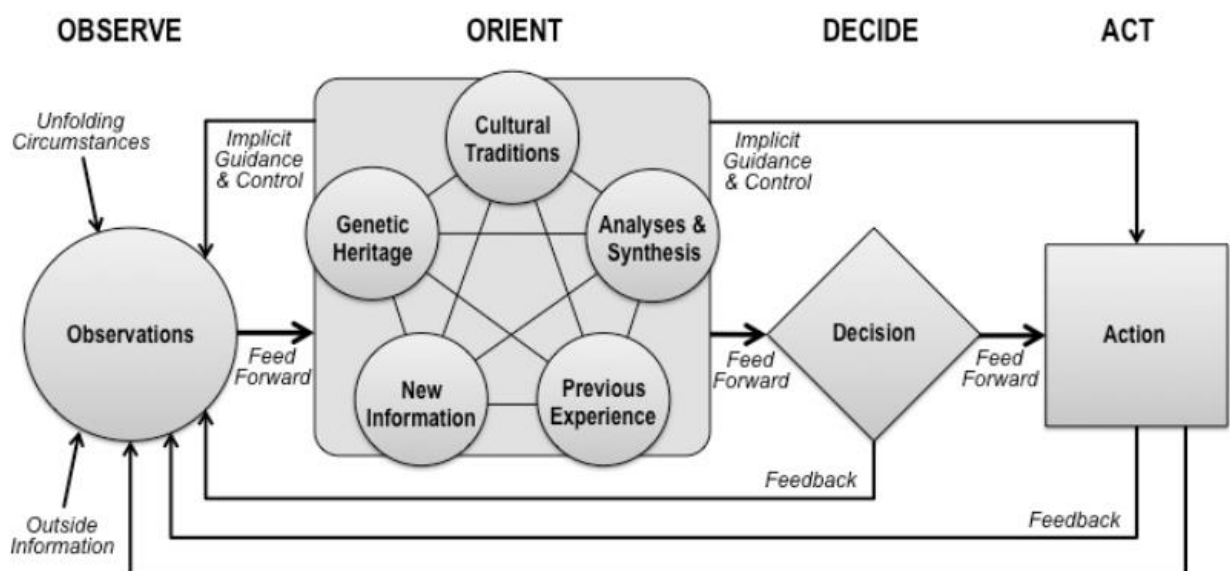


Figure 1 Boyd's Observe-Orient-Decide-Act (OODA) Loop (Source: Boyd (1987), Fadok (1995) and Boyd (1996).

Originally developed for the combat operations process, the OODA loop has been "ascended" to the strategic and tactical levels, not only in the military but also in the business world. Businesses sometimes use it to support the risk management process. The steps of the OODA loop can also be seen in the PP threat assessment. The connecting factors here are "analysis" (orient) and "action" (act).

There are no explicit alternatives to the OODA loop that focus on the deep understanding of how and why people make their decisions. But a few ideas that can be combined with the OODA loop include the following (Hashemi-Pour, 2023):

- **Military decision-making process.** This is another military decision-making method that involves the following seven steps:

Receipt of mission. Mission analysis. Course of action development. Course of action analysis and war gaming. Course of action comparison. Course of action decision. Orders production, dissemination and transition.

- **The plan-do-check-act (PDCA) cycle** (or *Shewhart cycle*) is geared toward continuous improvement that consist from four parts. The process starts by identifying a problem and gathering relevant data to the cause of the problem. Then, this information is used to develop and implement a solution. The results are then confirmed or checked before being documented and used to make recommendations for further PDCA cycles.
- **Strengths, weaknesses, opportunities and threats analyse** (SWOT). Businesses use the SWOT framework to identify and analyse any internal or external factors that could affect the success of a project.
- **Getting Things Done method**. This time management model helps organizations break larger projects into smaller, actionable tasks. The Getting Things Done method is a five-step process (collect, process, organize, plan and do).

Like the OODA loop, the SWOT analysis technique has practical value in real-world scenarios.

The essence of Predictive Profiling

PP is a methodology designed to identify, assess and respond to potential criminal or terrorist threats as early as possible. It focuses on the observation of individuals or suspicious behaviour, suspicious objects and/or incidents. PP considers the capabilities of adversaries to attack an organisation or individuals, rather than just the organisation's own capabilities to prevent an attack. It is a proactive technique that aims to identify and disrupt criminal and terrorist activity in its preparatory stages. It can also be applied to recognize and mitigate various other types of threats.

In comparison with *KMar* tasks, such as object security, personal protection, border control, airport policing, etc. PP could be particularly effective in tasks performed by the SBCS as well. To ensure the effective implementation of PP, it is crucial to establish a strong intelligence position. *KMar* additionally notes that PP is predominantly applied in operational environments (Mulder, 2014).

In order to have a clear understanding of the PP methodology, the concepts of Red Teaming, Attacker Method of Operation (AMO),

Assessment, Standard Operating Procedure (SOP), and Security Questioning will be explained.

Red Teaming, within the context of PP, is an operational method of viewing the weak points in the operational security of one's own organization through the eyes of the adversary, as well as testing them. Red Teaming is conducted to improve the quality and execution of security processes by gaining insight into AMOs that criminals or terrorists may potentially use in the future. By attacking one's own organization based on old information combined with new intelligence, potential modes of operation used by attackers can be determined (Zenko, 2015). In this way, visibility is gained into "Known Unknown" information (known adversaries with new AMOs) and "Unknown Unknown" information (unknown adversaries with unknown AMOs), as described in the Rumsfeld matrix (Krogerus, 2012).

Based on the results of the red teaming, SOPs can be adjusted and the implementers of the security process can be trained. If red teaming is not systematically employed or of insufficient quality, vulnerabilities may go unnoticed and the effectiveness of implemented measures cannot be properly assessed. Red Teaming plays a leading role in the proactive security cycle; the SBGS therefore needs to encourage the development of such teams.

The Attacker Method of Operation (AMO) provides insight into the actions of criminals, militant activists, terrorists, and other adversaries. This allows security measures to be tailored in terms of level and orientation. AMOs are developed against the backdrop of the Criminal Planning Cycle (Figure 2), which consists of eight steps. Understanding these steps promotes the recognition of potential intentions or actions by wrongdoers against the organization, individuals, or (protected) interests. AMOs can be specific or generic in nature.

When there is a specific and concrete threat, more specific AMOs can be developed. Specific AMOs can be considered as "precise" (specifically targeting that particular group, perpetrator, or group of perpetrators). If the threat is more general in nature (e.g. due to limited availability of concrete intelligence), this will lead to more generic AMOs. Generic AMOs can be seen as "coarse" (broadly applicable to many situations). Indicators for deviant behaviour of an attacker can be derived from an AMO. In the SBGS should be realized that developing and establishing indicators for deviant behaviour is not a straightforward matter, as the indicators can vary for each situation, environment, and circumstance.

Assessment (interpretation) is an extremely important step as it involves a substantive analysis of the threat. The common literature assumes the threat, rather than the risk. The underlying reason for this is

that “risk” can be measured to some extent, while “threat” cannot. Threat either exists or it doesn't, and since the goal is to eliminate the threat (immediately) through intervention, the application of risk thinking is of limited relevance. It may therefore be better to refer to “interpretation” of the threat instead of “assessment”. Indeed, a true assessment generally only occurs when a risk assessment is conducted.

Furthermore, the authors believe that risk thinking can further enhance the strength of PP. It should be applied against the backdrop of risk management. If the security responsible is familiar with the methodology of risk assessment, they will be better able to interpret the threat (in context).

Standard Operating Procedure (SOP). Now that the outcome of the “interpretation” of the threat is known, targeted measures can be taken against the terrorist or criminal group or individuals. Building a strong intelligence position in advance and maintaining it continuously is essential in order to intervene as early as possible. This ideally happens during preparation activities in the earlier stages of the Criminal Planning Cycle.

The intervention (action) is carried out based on a standard operating procedure (SOP). An SOP is a written work instruction that defines responsibilities, tasks, and authorities. The aim is to create uniformity in the execution of the action and therefore in the end result. An SOP can, for example, describe the methods and drills that can be used to neutralize threats by disabling the opponents. An SOP may involve conducting security questioning, making stops, arrests, or using other legal powers. Being able to blindly carry out SOPs and drills in combat situations or other forms of confrontation with the opponents is only possible with frequent practice. Action intelligence is an extremely important prerequisite in this regard.

Security questioning is an operational technique aimed at debunking a perceived threat based on abnormal behaviour. During security questioning, a person is unexpectedly interrogated and asked to explain their displayed abnormal behaviour. The element of surprise enhances the success of this technique. By asking certain uncommon open-ended questions to the individual in question, they are caught off guard. It often becomes difficult for them to provide an immediate truthful response when confronted with their abnormal behaviour. This can lead to a confrontational situation that helps alleviate the threat. However, it should be noted that the threat can also escalate as the individual feels caught and may react with violence out of panic or other reasons. Therefore, addressing the individual should take into account the potential escalation of violence.

If a threat is not debunked through the application of security questioning, immediate action is taken based on a standard operating procedure (SOP).

PP starts with the observation of deviations from the norm based on visible behaviour of individuals. If these deviations can be linked to an AMO, then a threat is recognized. The Police/ SBGS then take action in accordance with the SOP. This may involve security questioning, detaining, arresting, or utilizing other legal authorities. Establishing the norm and indicators of abnormal behaviour is informed by intelligence. Linking visible abnormal behaviour to intelligence helps prevent discrimination and profiling based on ethnicity.

The work process of a criminal or terrorist is described in the criminal terrorist planning cycle (or Attack Cycle). This cycle consists of seven steps (LaFree, Freilich, 2016):

1. Preliminary target selection;
2. Gathering information/ Initial Surveillance. Exploring the target / Final target Selection;
3. Planning and coordinating the different aspects/ Pre attack Surveillance/ Gathering the necessary materials (tooling up);
4. Performing a rehearsal (dry run);
5. Carrying out the attack/ Execution;
6. Escape & (excluding suicide bombers);
7. Exploitation.

Due to these steps are not all visible in the physical world, intelligence is of great importance for a secure organization and its security personnel.

In the digital world, visibility exists in step 2, particularly through digital investigation to search for indicators in the field of Open Sources Intelligence (OSINT). In step 5 of the planning cycle, the criminal or terrorist may also be visible. They may be visible to the organization being attacked or to agencies from which the criminal or terrorist obtains their needed materials. This can include trading companies dealing with, for example, raw materials for Home Made Explosives. Within steps 3, 6 and 7, the Police/ SBGS may, in all tasks, encounter physical behaviour that deviates from the norm.

To apply PP, it is essential to identify suspicious indicators. These indicators are determined in the intelligence process based on known Means, Motive, and Opportunity (AMO's). To make security even more proactive, it is also important to gain insight into AMO's that may be used in the future. PP also offers a possibility for this by going through the Proactive Security Cycle in which the Red Teaming tool plays a leading role.

Within this Proactive Security Cycle, the aim is to examine the weaknesses in the operational security of our own organization from the perspective of the adversary, using red teaming, and to test them. It also includes the execution of alternative hypotheses and the simulation of existing SOPs and processes. All of this is done to improve the quality and

implementation of security processes by identifying possible future AMOs that could be used by criminals or terrorists. By testing our own organization, potential modus operandi of attackers can be determined, SOPs can be adjusted, and the performers of the security process can be trained. This process is a self-repeating system that never stops and is focused on continuous quality improvement (Mulder, 2014).

There may be a misunderstanding about the relationship between PP and risk assessment and when PP should be used instead of risk assessment in a particular situation. The following will delve into this relationship, the differences, and when the added value of both is most effective.

The bowtie method is a visual way of understanding the impacts of a hazard, the risk it presents, the consequences and the controls that should be put in place (De Ruijter & Guldenmund, 2016). The bowtie has become popular as a structured method to assess risk where a quantitative approach is not possible or desirable. The success of the diagram is that it is simple and easy for the non-specialist to understand. The idea is a simple one of combining the cause and the consequence. When the fault tree is drawn on the left hand side and the event tree is drawn on the right hand side with the hazard drawn as a “knot” in the middle the diagram looks a bit like a bowtie. This method of analysis uses the risk matrix to categorise the various scenarios, and then carries out analysis on those with the highest risks. The essence is to establish how many safety barriers there are available to prevent, control or mitigate the identified scenarios, and the quality of those barriers.

Risk is defined as the Combination of Probability and Consequence. An excellent way of estimating the risk is to use a Risk Matrix (BowTie Pro™, 2024).

The threats and consequences are managed by the combination of the controls. Each control is a barrier where the combination of the controls should eliminate the hazard or reduce its frequency of occurrence, or mitigate its potential consequences. It is only when all the controls fail that the hazard or consequence will occur depending on which side of the bowtie you are working, described by James Reason as the “Swiss cheese model” (or “cumulative act effect”). The controls can include physical or operational systems and procedures that may be in place. In many cases it is better to use a more pragmatic approach with rigorous peer review.

There is a rule that the system should be “ALARP” (“As Low As Reasonably Practicable”). At the core is the concept of “reasonably practicable”; this involves weighing a risk against the trouble, time and money needed to control it. Thus, ALARP describes the level to which we expect to see workplace risks controlled.

The authors devote additional attention to the analysis of the level of staff security. In 1995, following the Chernobyl disaster, Vernon Bradley developed "DuPont Bradley Curve Model". It describes the relationship between incident rate and the organization's behaviour. Five years later, a Dr. Patrick Hudson proposed "Safety culture maturity model". In the Hudson model, there was a more in-depth analysis focused on the level of the employee and how they could be impacted by the company safety culture – or lack thereof.

This model framework establishes five stages of maturity (Pathological; Reactive; Calculative; Proactive and Generative). These five stages of safety culture demonstrate the level of commitment felt by the workers and managers towards safety. Furthermore, it reveals the degree of trust employees have in their leaders and managers. These studies are conducted by survey questions (conducted anonymously in the company by survey forms) to employees and leadership at all levels. Often these studies also include focus groups to dig further into the results to gain more clarity. Most companies, no matter where you are, will have safety management systems in place to ensure that they are compliant with country or corporate regulations. So this puts many companies somewhere between Reactive and Calculative in their approach to safety. But the challenge is to get further up the ladder and this is where demonstrable Leadership commitment becomes the key to success (Hudson, 2001).

According to KMar's research, PP is based on threat analysis and its interpretation and almost always relates to operational matters (operational level). However, if one is in the early stages of the criminal planning cycle and a specific AMO has already been established, thus allowing more time for the application of PP, PP can take on tactical elements. It is observed that risk assessment is mainly applied at the tactical and strategic levels. In general, there is more time at these levels to carry out a more comprehensive security assessment than in an operational situation. The criminal planning cycle can be better explored and understood, and the potential impact can be better determined, if a risk assessment is carried out.

It can be concluded that the application and results of PP are strengthened when combined with risk thinking. Risk assessment, when applied at the operational level, is enhanced by looking at deviations from the normal behaviour of individuals. Conversely, security personnel will be better able to interpret the threat if they are familiar with the methodology of risk assessment.

It is important to note that PP is an offensive security technique that focuses on the behaviour of individuals, whereas risk assessment is a more defensive security technique that focuses on the broad spectrum of "assets".

These include people, property, interests, objects and intangible assets such as reputation and integrity. The scope of risk assessment is therefore much broader than that of PP and aims to improve resilience. PP reverses the roles and takes the initiative away from the adversary. PP is therefore much more focused on intervention.

Conclusions and suggestions

The above aims to provide insight into when KMar use risk assessment or when use PP in a specific situation. There is some overlap between both tools, especially when PP takes on a tactical dimension in an extensive analysis of the criminal planning cycle and in specific AMOs.

The authors agree with KMar's conclusions that both tools are complementary and can reinforce each other. In practice, both tools can be used alongside each other, depending on the situation and the amount of time available – tailored to the specific circumstances.

The authors believe that it is necessary for the SBGS to look into the implementation of the methods described in the paper.

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BIOMETRIC DATA, PRACTICAL ASPECTS OF THE PROCESSING OF SUCH DATA

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Abstract. *The authors of the paper explores the content of the qualification improvement course "The use of the AFIS and Eurodac systems" implemented in the State Border Guard College of the Republic of Latvia, the questionnaires given to the course participants in order to develop the guidelines for more effective processing of biometric data with main focus to the fingerprinting. The paper is aimed to identify the possibilities of improving the border guards' professional background in performing fingerprinting. The research was done in the State Border Guard College of the Republic of Latvia (State Border Guard College Rezekne Academy of Technologies, 2022). For this purpose analysis and evaluation of documents and officials work experience were performed and suggestions for the improvement of border guard fingerprinting methods were compiled. The author concludes that the effectiveness of biometric data processing depends not only on technology but also on the human factor - the knowledge, skills and professionalism of border officials. Therefore, continuous training and professional development is an integral part of the successful processing and use of biometric data in the national security system. The author recommends SBGC to invest in modern technologies and equipment to ensure efficient and accurate biometric identification technology processing.*

Keywords: *biometrics, identification, fingerprints, processing, verification.*

With the growth in data storage capacity and the development of biometrics, the possibilities for automatic identification of people are on the rise. Biometrics refers to the unique physical or behavioral characteristics of an individual that are used to identify and authenticate their identity.

All biometric characteristics can be divided into groups (Figure 1).



1. Physical: Fingerprint, facial, iris, hand, and retina are considered physical biometrics, based on direct measurements of a part of the human body.

2. Behaviour: Voice and signature are considered behavioural biometrics; they are based on measurements and data derived from an action and therefore indirectly measure characteristics of the human body (Biometric System, 2024).

Fig. 1. Biometric technologies (Source: Assured. Enterprises, 2024)

Biometric data allows the identification of a person and their genotype. Fingerprints - the epidermis of the skin forms a pattern of lines, or papillary lines, whose position depends on the anatomical structure of the inner layers of the skin (dermis). As the dermis lies on the subcutaneous layer of fat, it determines the structure of the skin's surface. The eccrine or sweat glands secrete an oily substance through the pores in the papillary glands, which allows accurate identification of blood type, sex, age, past and present diseases, or identification of the person. Papillary lines are individual, unchangeable; only disease, trauma or decomposition can alter them. In close relatives, and especially in twins, the pattern of collateral lines may be similar (Arājs et al., 2005).

According to Section 3(3) of the Immigration Law, the State Border Guard Service (hereinafter - SBGS) is required to establish and maintain electronic information systems for the performance of its functions.

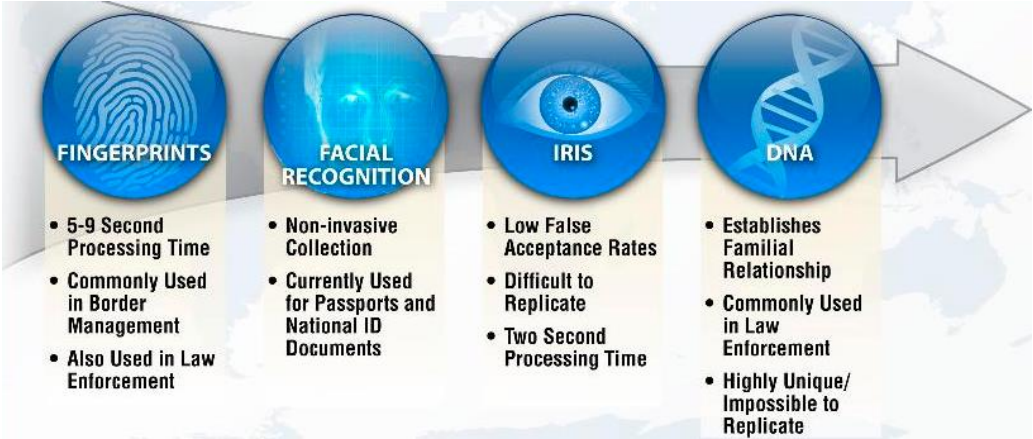


Fig. 2. Most popular Biometric Security Systems (Source: Biometric System, 2024)

The SBGS uses biometric data (Figure 2) in various ways to ensure security and border control:

Verifying or entering data (face and fingerprint identification) into the Automated Fingerprint Identification System (hereinafter referred to as "AFIS"/ Asylum Seekers Fingerprint Information System or European Dactyloscopy (hereinafter "Eurodac") (Regulation (EU) of the European Parliament and of the Council, 2024) about asylum seekers, refugees, irregular immigrants and foreigners who have violated the conditions of entry, transit or exit. Since 2009, SBGC units have been using the Biometric Data Processing System (Latvian: *Biometrisko datu apstrādes sistēma* ore BDAS System) (Biometrisko datu apstrādes sistēmu likums, 2009), which allows fingerprints to be verified, attached and stored. This system significantly improves and speeds up the identification and verification of irregular migrants, making the fight against illegal immigration more effective and ensuring compliance with the Schengen Agreement

(Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic, 1985);

- Verifying biometric data (face and fingerprint identification) in an electronic microprocessor chip within the passport. Malaysia was the first country to introduce biometric passports in 1998. More than 150 countries now use them. Using contactless smart card technology, they are used to authenticate the identity of the passport holder when travelling and have supported the growth of electronic passport gates at many international borders (Seon, 2024).
- Resisting technology, 1 February 2024, The Finnish Border Guard has announced a major expansion of its digital travel document pilot program at Helsinki Airport. Finnish citizens will now be able to test the Digital Travel Credentials (DTC) when traveling on 22 Finnair routes to and from Helsinki, up from just three previously. The DTC could greatly improve the travel experience for both visitors and immigrants once implemented more broadly. With the upcoming European Travel Information and Authorisation System (hereinafter ETIAS) (Regulation (EU) of the European Parliament and of the Council, 2018) visa waiver program launching in May 2025, the possibility of integrating digital credentials could facilitate immigration for legitimate travellers (Etias, 2024). The next stage in the digitalisation of the EU border process will be the EU's much-delayed Entry-Exit System (EES) launching on 10 November 2024 as well the introduction of the ETIAS travel system will go live in the first half of 2025 (Gils, 2024). This will require visitors from 60 visa-free countries to obtain a new electronic travel authorisation to enter 30 European countries (ETIAS.COM, 2024);
- Verifying biometric data (full group of ten fingerprints) in the Visa Information System when checking or issuing visas;
- Verifying facial image (IRIS recognition – real face vs photo in an electronic microprocessor chip within the passport ore/ and in the data base). It uses biometrics to map unique facial features from a live image and compares it to a previously captured image to verify that the two are the same person (Biometric ID | London Gatwick Airport, 2024);
- Data exchange with other countries: verifying DNA profiles and dactyloscopic data in combating terrorism and cross-border crime (Council Decision, 2008).

The SBGS is the custodian and holder of these information systems and is responsible for the use and exchange of data between national information systems in electronic form.

It should be noted that the processing of biometric data is strictly regulated by data protection principles and legal acts, such as Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (the General Data Protection Regulation), which establishes the protection of individuals regarding personal data processing and the free movement of such data, while repealing the previous Directive 95/46/EC and national data protection laws. It is essential that biometric data is used only for specific, clearly defined purposes, such as security and border control, while ensuring that individuals' privacy rights are respected and adequate data protection is maintained. Data processing must be conducted in strict compliance with regulatory requirements, guaranteeing both privacy protection and transparent, responsible data usage. This approach helps balance security requirements with the need to protect individual rights and freedoms, fostering public trust and ensuring compliance with legal regulations.

Every company, public organisation or authority, including the SBGS, has a constant need for information. Identifying the required information and its location (databases, registers, etc.) is an essential factor in performing daily tasks, solving problems, making decisions, processing, searching for information or answers to questions.

Nowadays, information systems are computerised and operate in all Latvian public administrations and institutions, to the extent that some of them cannot function at all without information systems. Well-established information systems and trained staff increase the efficiency of the institution and allow it to carry out activities that were previously impossible.

In Latvia, the collection, storage, and use of biometric data involves several state institutions and organizations, which, in accordance with current regulatory requirements, process this data for specific purposes. To ensure that biometric data processing is conducted lawfully, all parties involved must comply with the applicable regulations and principles of personal data protection. Additionally, it is essential that individuals are fully informed about how and for what purposes their biometric data will be collected, stored, and used, thereby ensuring transparency and accountability. This disclosure of information and the responsible processing of biometric data strengthens public trust and helps to secure lawful data protection.

Fingerprint verification and retrieval

Border officials carry out biometric checks as part of their duties. Most popular biometric technology is the finger print biometric systems (Biometric System, 2024).

Fingerprints are taken by border officials when checking the entry conditions of a third-country national or when registering a detained foreigner or asylum seeker.

Fingerprints have been collected, studied and verified for over 100 years as a unique means of personal identification. Over the course of human evolution, nature has created a volar (ridged) skin surface on the fingertips to help grip objects and prevent them from slipping out of the hand. This has resulted in a unique pattern of papillary lines that is individual to each person. This pattern remains constant throughout life, from the seventh month of development in the womb until the body matures (Kavaliers, 1997).

In Latvia, the majority of criminologists, developing the ideas of R. Belkin (Belkins, 1993), put forward the definition of dactyloscopy (from the Greek words *daktylos* - finger and *skopein* - to look) is a special section of the forensic technique component *trialogy*, the subject of which is the examination of the papillary skin surface of the palms of human hands, soles of feet and their fingers for the identification of persons, as well as for the registration and search for criminals (guilty persons) (Arājs et al., 2005).

If the SBGS territorial board's unit do not have a BDAS system equipped with a Livescan data input device, border guards will need to use black fingerprint ink and a roller or paint stick in addition to a photo camera and fingerprint cards. Border guards will also need extra sheets of paper or a piece of glass to roll out the fingerprint ink, as well as personal hygiene wipes (alcohol-based) to wet and clean the fingers, to clean the roller and table top, and a sink with water and detergent (such as liquid soap, which is preferable to abrasive pastes) for washing hands.

It is important for border officials to get good quality fingerprints.

The quality of the biometric data (fingerprints) has a direct impact on the accuracy of the biometric system. As the quality of the data decreases, the accuracy can drop to 0%. Therefore, when working with systems such as the Visa information system or BDAS System, it is important that every border official is familiar with the basics of fingerprinting.

In the absence of a detailed methodology for fingerprinting in the SBGC, the authors of the study made a compilation of best practices for border officials during refresher courses, which may help border officials to avoid problems in the future.

Before starting a fingerprinting operation on a person, it is important to ensure that all operations are carried out in accordance with the applicable laws and regulations governing fingerprinting and data processing. It is important to respect the rights and obligations of the person as defined by the legislation. It is necessary to verify the identity and

age of the person using available documents and information. At the same time, it is important to ensure that fingerprinting takes place in a secure and private environment in order to protect the privacy of the individual, and that data protection regulations are respected to guarantee the confidentiality of any data obtained.

Prior a fingerprint scan, the relevant equipment and software shall be checked to ensure that they are in working order and meet the technical requirements. It is important to check that all necessary tools and materials, such as disinfectants, are available. It is also important that the SBGC officials who will be taking the fingerprints are properly trained and familiar with the whole process. It should be ensured that the officials know how to deal with unforeseen situations. Finally, it is important to guarantee that the person is physically able to participate in the fingerprinting process and that there are no obstacles that could affect the success of the process.

When taking fingerprints, it is important to look carefully at the person's fingers and assess their condition, because:

1. Person may have previously used various means to alter or remove the papillary lines of their fingers, such as acids, cauterisation, cutting the skin or even amputation.
2. The position of fingers and ridges and the arrangement of parts can make fingerprinting difficult. People who have physically demanding jobs, such as construction workers or fishermen, tend to have very worn ridges. In such cases, official must try to keep the fingernail ink as light as possible and press down on the paper as lightly as possible. Some people may not have the papillary line details in the centre of the finger, which can cause problems when taking control impressions.
3. Person may have damaged fingers, such as scars, blisters, dislocations or fractures, which can affect the fingerprinting process.
4. Older people may have deformed fingers at the joints (phalanges) due to medical conditions such as arthritis. For these people, special techniques such as using a matchbox with a strip of paper attached can be used to take fingerprints in order to obtain high quality prints.

There are a number of important nuances that border guards have to consider before fingerprinting a person to ensure a successful process. Firstly, special attention should be paid to women with long nails. Dactyloscopic ink can get onto the nail lacquer, making it darker, or under the nail. In addition, long nails can make obtaining a complete fingerprint more difficult. Secondly, if the person wears watches, bracelets or rings, this can cause problems with fingerprinting. Some women may have several rings on a finger, making it difficult to take a print. If rings are removed, care must be taken to ensure that jewellery cannot be lost. If the rings are not removed, the fingerprint ink may get on them, especially if the rings are

jewelled or intricately shaped, as the ink is difficult to wash off. Thirdly, it is important to be informed if the person is allergic to dactyloscopic ink in order to avoid possible health risks.

Before fingerprinting, the person must wash his/her hands with soap, preferably in warm water, to soften the surface of the skin and to remove any excess sweaty substance. The fingerprinting equipment should also be thoroughly cleaned to remove any residual paint or sweaty substances.

When checking or taking fingerprints, a border official may come across a person who is sweating profusely or has very dry hands. In the case of sweating, the fingers can be dried with toilet paper or the person can be asked to blow on their hands. If the hands are dry, the person can be asked to breathe on them or use wet wipes. In winter, ask the person to keep their hands warm by putting them in their pockets or under their armpits.

After washing the hands, they should be wiped with a dry towel or personal wipe to ensure that the fingers are clean and dry before the fingerprinting process.

If a roller is used, one or two 5x5 mm drops of ink shall be applied evenly to the glass, paper or plate and rolled out. The same roller shall be used to roll the ink onto another clean plate of the same type, without applying additional ink, in order to achieve an even and optimum amount of ink on the roller.

Officials must remember that it is forbidden to renew the paint on the roller every time a finger is smudged. It is important to keep track of the amount of paint on the finger so that the papillary lines are clearly visible. If there is too much paint on the finger, it is advisable to wash the finger and blot again or press it gently against the paper. Using a roller or pad, the fingerprint examiner can choose the most suitable position for standing or sitting. The main thing is to avoid standing between the legs of the person to be fingerprinted and to reflect on the presence of the service weapon and special equipment. The border guard may ask the person to turn around to avoid discomfort and to reduce the possibility of the person seeing the border guard's body movements. The fingerprint examiner shall choose the most comfortable position (preferably to the left of the person to be fingerprinted) and receive the thumb and forefinger of the right hand of the person from the side. The other fingers of the person shall be closed so as not to interfere with the fingerprinting and, holding the thumb, the person shall lightly touch the paint-covered plate and move the pad. If a roller is used, the person's hand shall be held with one hand and the dye smeared with the other. If a pad is used, do the same or place it on the edge of the table and roll it over. It is recommended to roll the finger from the most uncomfortable side to the most comfortable side.

Biometric authentication

According to Jain et al, biometrics is an effective means of personal authentication because they are unique to each individual and difficult to forge or steal. In addition, biometric technologies are increasingly being used in security systems because they provide a higher level of security than traditional methods such as passwords or access cards (Jain et al., 2004).

The use of biometrics also poses a number of challenges, including privacy and data protection. Mr Bowyer points out that the protection of biometric data is essential to prevent potential security threats and to protect the privacy of individuals (Bowyer, 2004). Unfortunately, biometric authentication can be hacked or falsified. The fact that biometric authentication is mistakenly believed by many to be impossible to hack only exacerbates the problem.

Advantages of a Biometric Security Systems (Ekemp, 2004), (Biometric System, 2024):

- Portability: biological characteristics are inherent characteristics of the human body, and the human body is the only binding, with portability.
- Security: human characteristics are the best proof of personal identity to meet higher security needs: can deliver greater security than username/ password authentication (EKEMP, 2021). The individual biometric systems can be connected together in a multilevel authentication system which further increase the security of the whole system. Should one of them fail or be cheated the others are able to negotiate the possibility of the break through (Biometric System, 2024).
- Uniqueness: everyone has different biological characteristics.
- Stability: biological characteristics such as fingerprint, iris and other human features will not change with time and other conditions.
- Universality: everyone has this characteristic.
- Convenience: biometric identification technology does not need to memorize passwords and carry special tools (such as keys), so it will not be lost (EKEMP, 2021).
 - Less friction than having to carry an item or remember a passphrase.
 - Delivers improved time-management efficiencies;
 - Can accelerate time of access to the premises/ data bases;
 - Allows officials to focus more on daily tasks due to reduction in necessary to change passwords or conduct service a check by the service on incorrect or illegal data processing.
- Collectability: the selected biometrics are easy to measure.

- Acceptability: users are willing to accept the selected personal biometrics and their applications (EKEMP, 2021).

Disadvantages:

- Can be hacked, but many do not realize;
- Can be expensive to implement;
- Time implication to move all the officials from a non-biometric system to a biometric as well as to upskill officers to adopt Biometric Security Systems;
- The sheer technological complexity can put SBGS off;
- Cooperation unwillingness/ privacy concerns for individuals who are not happy with acquiring their biometric features as now all their entries and exits will be recorded and the scope of misuse decreases (Biometric System, 2024).

The authors believe that the SBGS, in response to pressure from hybrid war, should unleash the use of biometric authentication as the grant access to phones, computers and buildings and as part of a multi-modal authentication process. For example, accessing a building or separate room through a combination of a retinal scan and voice identification, or accessing a laptop through both facial recognition and a fingerprint scan (Seon, 2024).

Conclusion and suggestions

Biometric data is crucial in the identification and authentication of personal it is individual and provides a high level of security. The use of fingerprints in person identification is reliable method that has deep roots in history – more than thousands of years, underlining its durability and accuracy.

Law enforcement officials must be properly trained and must have appropriate level of knowledge in laws and procedures in order to prevent potential irregularities and improve the process of persons` identification. Such procedures include a thorough assessment of the condition of the fingerprint of the person and the use of appropriate technical equipment for scanning fingerprint. Acting in line with the data protection regulations and observing human rights is essential and fundamental in performing service duties on a daily basis. Persons who don't allow the collection of fingerprints should be explained the importance of this procedure and the possible consequences of refusal. Processing and use of biometric data brings forward the issue on privacy and security, which in addition require extra mechanisms to protect personal data from potential threats (Data Protection Laws of the World, 2024). In order to tackle these challenges is essential to maintain public awareness and ensure effective control of national borders. The authors would like to stress that the effectiveness of

biometric data processing depends not only on technology but also on the human factor - the knowledge, skills and professionalism of border officials. Therefore, continuous training and professional development is an integral part of the successful processing and use of biometric data in the national security system.

It is important to underline that the processing of biometric data is essential for national security and effective border control. The modern AFIS and Eurodac systems are helping SBGS units to quickly and accurately identify irregular migrants and overstayers. The quality of the biometric data has a direct impact on the accuracy and efficiency of the system, so it is important to ensure that correct data entry procedures are followed.

The SBGS is one of the organizations who are highly targeted by fraudsters and need to consider combining biometrics with additional security such as device fingerprinting, which looks at a device hash, cookie hash and browser hash to identify a returning user as well as spot other irregularities (Seon, 2024).

Based on the above characteristics, biometric identification technology has incomparable advantages over traditional identification methods. With biometric technology, it is no longer necessary to memorize and set passwords. It can be used to encrypt important files, data and transactions. It can effectively prevent malicious embezzlement and is more convenient to use (EKEMP, 2021).

SBGS need to invest in modern technologies and equipment to ensure efficient and accurate biometric identification technology processing.

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PUBLIC SAFETY IN LATVIA

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Abstract. *Security is one of the most important issues both at the individual and organizational level, as well as at the national level. In today's world, where technological development and globalization create new opportunities, new threats also arise. Therefore, security guidelines are becoming increasingly important to ensure stability, protection and sustainability. Geopolitical situations in the world are determined by the great powers that have a better economic status, natural resources, human resources, development on the world "stage", the country's military armament, as a result of which smaller countries with less recognition in the world are affected. Many factors determine public safety, in peacetime, in a state of emergency, or in a time of emergency.*

Keywords: *person, society, state, national security, security challenges.*

Introduction

Every day, the residents of a country are shaken by events happening in the world, national policies impacting politics, economics, the economy, and the safety of individuals. These geopolitical upheavals are caused not only by human actions but also by natural disasters.

The geopolitical situation in the world is determined by the superpowers that have better economic conditions, natural resources, human resources, development on the global "stage," and military armaments, which in turn influence smaller countries with less recognition in the world.

Small countries, such as Latvia, cannot influence the impact of superpowers, which is why the state strives to protect itself from the threats of such influences.

Today, these threats include cyberattacks, misinformation dissemination, misrepresentation of opinions to the public, and even the expression of military threats, while public security is a crucial element in the development and prosperity of any nation. In Latvia, as well as in other countries, public safety issues have become particularly relevant due to recent events, including not only external threats but also internal ones.

The goal of the study: To investigate the state of public safety in Latvia, identify the main threats in the future, and propose solutions for improving the situation.

Threats to national security are related to the development of the situation in the international security environment, Russia's expanded war in Ukraine,



hybrid threats, malicious cyber activities and trends in international terrorism. Although they have decreased under the influence of objective circumstances, the long-term efforts of individual countries to influence the Latvian state (Latvijas Republikas Saeima, 2023), society and its values, the current Western-oriented foreign policy course, as well as domestic political stability, with political, economic and informational means, still pose a threat (Smirnova, 2024).

The tasks of the study:

1. To determine the basic security guidelines for Latvia.
2. To assess the current level of public safety in Latvia.
3. To identify the main threats to public safety in the future.
4. To propose recommendations for improving public safety.

Security guidelines

Security is one of the most important issues at the individual, organizational, and national levels. In today's world, where technological development and globalization create new opportunities, new threats also arise. Therefore, security guidelines are becoming increasingly important to ensure stability, protection, and sustainability.

Security guidelines are frameworks and measures designed and implemented to protect people, property, information, and resources from potential threats. They cover a broad spectrum of security issues, ranging from physical security to digital protection.

Public safety examines the threats to the traditional lifestyles, customs, religious practices, ethnic, and national characteristics of society or its parts. The dimension of public safety has been on both political and academic agendas in the past decade; however, no research has thus far been conducted that would allow for the integration of the threats identified by individuals to their identity in the overall perception of threats among Latvia's population and assess the possible correlations that exist between perceived threats and relevant policy responses (Kjaste & Struberga, 2021).

The authors of the study articulated the following security guidelines that ensure the safety of individuals, society, and the state:

- Physical security - ensures the protection of individuals, property, and territories. Physical security is ensured by individuals themselves, who comply with the state's regulatory framework that governs public order and property and territorial protection;
- Information security - is essential to protect sensitive data from unauthorized access and attacks. Data protection is particularly important to ensure the respect of privacy and prevent identity theft;
- Cybersecurity - defense against cyberattacks that can affect IT infrastructure, networks, and systems.

The implementation and control of the security guidelines proposed by the authors of the paper is ensured by the Ministry of the Interior and Defense.

The task of national security is to preserve human life. It strives to achieve this goal through continuous accident prevention on a national scale, covers all areas of hazardous activities and directly or indirectly prepares all of us citizens (National Safety Council, 1932).

The national legal framework of the Latvian state defines national security, which states that national security is a set of conditions achieved as a result of purposefully implemented measures. When the state and society implement specific measures, Latvia's internal and external vulnerability is reduced, as well as the state's overall capabilities and general readiness to identify, prevent and overcome national security threats are improved (Latvijas Republikas Saeima, 2023).

Comparing the two definitions of national security, the purpose of these definitions is to protect people from threats and ensure conditions that could threaten national security, including human security.

Latvia's national security has military, foreign policy and internal security dimensions, which are interconnected. The foreign policy dimension is characterized by the current unstable international security environment, possible changes in it and external threats.

The dimension of internal security is characterized by the state's provision of the basic values defined in the Constitution of the Republic of Latvia, as well as security risks and threats of a hybrid nature, which affect all three dimensions (Tiesību aktu projektu publiskais portāls).

The safety guidelines defined in the Latvian National Defense Concept are:

- internal security;
- external security;
- hybrid security threats.

Internal security is implemented by the structural units of the Ministry of the Interior - the State Police, the State Border Guard, the State Security Service, the State Fire and Rescue Service.

External security is provided by the National Armed Forces. The defense of Latvia consists of the capabilities of the National Armed Forces and the presence of allied forces, or NATO, in Latvia. Together with the allies, the national armed forces demonstrate their military capabilities to protect Latvia and NATO countries, as well as jointly maintain and develop combat capabilities for collective protection from external threats.

The concept of hybrid threats plays a growing role in understanding the multidimensional nature of the security phenomenon today. A number of studies have been developed in the world, which basically describe hybrid threats as an increasingly frequently used hostile, coordinated action by state and non-state actors, which includes two or more threats at the same time and is aimed at harming the target country. The hybrid threat research carried out in Latvia so far

has mainly been focused on the influence activities implemented by the Russian Federation (Ceple & Struberga, 2021).

The European Union has created a unit that responds in time and prevents hybrid threats to one of the member states.

The task of the unit is aimed at preventing the spread of disinformation, cyber-attacks, attacks on critical infrastructure, the instrumentalization of migrants and the interference of malicious actors in elections, the rapid response units for the prevention of hybrid threats will be an important new ability of the EU, which will allow to prevent new and potential threats (Eiropas Savienības padomes Paziņojums presei, 2024).

State security

National security is a state achieved as a result of unified, purposeful measures implemented by the state and society, in which the independence of the state, its constitutional structure and territorial integrity, the perspective of free development of society, prosperity and stability are guaranteed (Nacionālās drošības likums, 2001.).

The national security system is made up of institutions implementing state power and state administration and citizens of Latvia (Valsts robežsardzes koledža, 2024).

The task of the system is to predict internal and external threats in a timely manner, prevent threats, guarantee the safety of the country and people. If internal threats arise, for example, internal riots break out, then a State of Emergency would be declared in the country, as stipulated by the Law of the Republic of Latvia "On the State of Emergency and State of Emergency", where the Cabinet of Ministers already makes a decision on declaring a state of emergency. Therefore, mobilization may be announced according to the threat and the scale of unrest and depending on the necessary material and technical support and human resources to overcome the threat, according to the "Mobilization Law" (Kurek, 2022).

The purpose of mobilization is to prevent threats to the state's military and civil defense or eliminate their consequences by involving mobilization resources - human, material and financial resources according to prepared plans, according to the scale of the emergency situation or the state's military threat.

A state of emergency is declared (up to 3 months, extended to 3 months. Canceled - when the state of emergency is overcome):

- throughout the country;
- part of the country;
- in part of the administrative territory.

A state of emergency is declared (up to 6 months, extended to 6 months. Canceled - if the national threat has been prevented or overcome):

- throughout the country;

- in a part of the country.

Mobilization can be announced:

- general mobilization – is announced in case of war or state of emergency, subjecting all mobilization resources;
- partial mobilization – announced in an emergency situation or state of emergency, partially involving mobilization resources;
- local mobilization – announced in an emergency situation in the defined administrative territory (Balode, 2017).

Taking into account the scale of the threat to the security of the country and people, an emergency situation or a state of exception may be declared and, if necessary, mobilization may be declared after assessing the threat.

The emergency situation that affected the security of people and the state in Latvia was declared during the Covid-19 pandemic, because the continuous and effective operation of state institutions was threatened, therefore restrictions and obligations were imposed on natural and legal persons to limit the spread of Covid-19 and ensure the operation of state institutions (Olsena et al., 2022).

Taking into account the geopolitical situation in the world and the developed hybrid war of Belarus against Latvia, an emergency situation has been declared on the Latvian-Belarusian border, where illegal migrants are directed to Latvia and Europe on a daily basis, in this way the external security of the country and including the internal security are affected by illegal migrants. By declaring a state of emergency on the Latvian-Belarusian border, the State Border Guard can attract additional human resources, that is, State Police officials, National Armed Forces and National Guard soldiers to prevent illegal migration on the state border.

Considering the Covid-19 pandemic and illegal migration in the country, no mobilization has been announced, as the state and local government institutions have been able and are able to overcome the emergency situation with their own resources, without involving public resources.

The state of emergency has not been announced in the country, because the country is taking preventive measures and informing the public about what is happening in the country and in the world. Informing the public is an important guarantor of national security, which allows people to act accordingly and ensure the internal order and external security of the country (International Review of Management and Marketing, 2023).

Since Russia's extended war against Ukraine, Latvia has started to strengthen the national border.

On March 5, 2024, the Cabinet of Ministers approved the plan for the military strengthening and anti-mobility of the eastern border. The Eastern border military strengthening and anti-mobility plan is part of the creation of the Baltic defense line, which will include the creation of support points for the National Armed Forces units along the entire border of Russia and Belarus - defense positions for soldiers and fortified defense positions, various obstacles, anti-tank

ditches, ammunition and mine warehouses (Robežas stiprināšana, 2024). Taking this type of defensive measures will not allow or hinder the movement of the opponent or the opponent will be directed to advantageous positions for us to deter the opponent.

It should be noted that the economy is one of the areas that can most significantly affect the national security of the country. Moreover, economic threats are closely related to political and even military threats. The economically weaker the country, the less means it has to guarantee military security. Likewise, the more economically dependent a country is on another country's economy, the more this stronger country can manipulate its position in order to achieve favorable decisions.

Security threats today

State threats and people's safety are threatened every day, but if the people themselves observe the state order, we are able to live in a safe internal environment. But we are not immune to other types of threats, such as natural disasters, over which we have no control.

Latvia has been affected by floods, snowfalls, rains, storms, heat and cold waves, which have not endangered human lives, because preventive measures have been taken, such as informing and evacuating people. But these natural disasters have damaged human infrastructure, where post-disaster cleanup and infrastructure restoration must be done.

The biggest threats to human life and health are man-made disasters – vehicle accidents, infrastructure accidents, epidemics, terrorist attacks, riots, war.

In the opinion of the authors of the work, which, if divided according to the threat, the security threat and the scale, could be divided today into:

1. Unrest – the hybrid war waged by Russia and Belarus against Latvia and the European Union, with the entry of illegal migrants and possible subversive groups into Latvia with the implementation of internal unrest, could destabilize the country's internal security and threaten the effective functioning of state and local government institutions.

2. Epidemics – The Covid-19 pandemic is contained, but there are still risks of outbreaks of Covid-19. Today, the greatest threat is monkeypox, which has already been detected in many countries of the world and threatens human health and life.

3. War - Russia's unprovoked and illegal full-scale invasion of Ukraine in February 2022 has brought war back to Europe. In response to this, the NATO Strategic Concept approved in June 2022 defined Russia as the most significant and direct threat to the alliance. Various terrorist groups pose a significant threat, while China's policy poses challenges to the alliance's interests.

In order to respond to changes in the security environment, Latvia, together with its allies, pays increased attention to strengthening defense capabilities at

the national and international level. The decisive role in Latvia's security policy is played by membership in NATO and the European Union. Within the framework of organizations, as well as in bilateral cooperation with allies, Latvia implements an active foreign policy in order to strengthen its own, regional and international security (Vasiļjevs, 2019).

An irreplaceable part of effective deterrence and defense policy is the military presence of NATO allies in Latvia. Therefore, one of the most important tasks of Latvia's foreign policy in the field of external security is to promote the strengthening of the allies' military presence in Latvia in the long term, thereby strengthening the collective defense of all NATO countries. No less important is the strengthening of NATO's Rapid Response capabilities, which would allow sending additional forces and providing assistance to any member state of the alliance in the event of a crisis (Drošības un aizsardzības politika, 2021).

Seven out of ten Lithuanian residents believe that Russia poses a threat to their country's national security, according to a public opinion survey, and the same is true in Latvia (Aptauja: aptuveni 70 % lietuviešu uzskata, ka Krievija ir drauds nacionālajai drošībai, 2024).

Western discourse about Russia's way of war has oscillated between emphasising the conventional and unconventional threat.¹ Up until Russia's full-scale invasion of Ukraine in 2022, the emphasis was disproportionately on Russian unconventional warfare – the conduct of sabotage, subversion and destabilisation through undeclared Russian forces – carried out in the so-called 'grey zone'. This has since shifted to the conventional threat that Russia poses to NATO. The problem with this is that Russia considers both conventional and unconventional military means to be tools of national power and applies them in combination. It is the conventional threat of escalation that deters retaliation against unconventional activity, thereby expanding the scope of what Russia can get away with. Conversely, it is the unconventional operations of the Russian special services that aim to set the conditions for the successful application of conventional military force.² Both tool sets must be understood to appreciate the threat that Russia poses. Its unconventional efforts remain central to its theory of victory against Ukraine – and countering them is equally important. This report's primary conclusions are that Russia's special services actively seek to expand their capacity in several areas that pose strategic threats to NATO members. First, the GRU is restructuring how it manages the recruitment and training of special forces troops and is rebuilding the support apparatus to be able to infiltrate them into European countries. Second, the GRU has taken the Wagner Group's functions in house and is aggressively pursuing the expansion of its partnerships in Africa with the explicit intent to supplant Western partnerships. Third, the leader of Chechnya, Ramzan Kadyrov, is being used to build a broad network of influence among Chechen and Muslim populations in Europe and the Middle East, with the aim of contributing to the subversion of Western interests. These lines of effort should be countered (Watling et al., 2022)

4. Vehicle and infrastructure accidents - due to carelessness and carelessness of people.

Safety measurement in Latvia:

- 97% of the population believe that it would be necessary to inform more about national defense and security topics;
- 32% reduce the spread of false news in society;
- 23% to strengthen overall security in the country;
- 22% exclude panic raising;
- 19% make you feel safer;
- 43% worry about fake news getting into the media;
- 86% want to know what to do in the event of a national threat (Aptauja: aptuveni 70 % lietuviešu uzskata, ka Krievija ir drauds nacionālajai drošībai, 2021).

In general, according to statistical data, it can be concluded that the public in Latvia is not sufficiently informed about what is happening in the field of national security. The different information about what is happening in the country by different media is of great concern. So, in various media, information is presented as disinformation, where the public is misled and divided in opinions.

86% do not know what to do in the event of a national threat and how to act, in X hour it can affect the national defense measures, because there will be panic in the society and chaos in the streets.

Conclusions and suggestions

In a study on public safety in Latvia, the authors of the paper made the following conclusions:

1. The country has established security guidelines to ensure the safety of society and state institutions.

2. The national regulatory framework determines actions and activities in the event of an emergency, state of emergency or war.

3. Provide enhanced external security of the airspace and land borders. With the aim of demonstrating the combat and military capabilities of Russia and Belarus.

4. The state has overcome the Covid-19 pandemic by declaring a state of emergency and imposing restrictions and obligations on natural and legal persons to overcome the situation.

5. Timely forecasting and evaluation of threats is carried out, ensuring public information.

Main recommendations:

1. For state and local government institutions to inform and train people on how to act in the event of a state threat, which will allow people to protect their health and life in the event of a state threat.

2. National armed forces with allies to strengthen the country's external security, which will ensure and strengthen internal security.
3. The mass media should inform the public about the geopolitical situation in the neighboring countries.

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The return of illegal migrants as a strategic task for the implementation of the state policy of Ukraine in the field of integrated border management

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Abstract. *Illegal migration remains a widespread problem. Among a wide range of various ways of solving it, the final migration result can guarantee the return procedure. Their relevance is related to the introduction of an effective border policy as a tool for creating a territory of freedom, security and justice with respect for basic human rights.*

The meta-study of the return of illegal migrants took place in its established purpose and the current status of legal regulation in the general system of integrated border management.

The return of illegal migrants is characterized taking into account methodological approaches about the obligation of coercive measures, the relationship with the protection of the state border and the humanization of its implementation. Systemic-structural and functional methods contributed to the study of the status of subjects authorized to ensure forced return and reproduction, regulatory and legal provision of cooperation in the implementation of coercive measures against foreigners and stateless persons. The comparative legal method was used to characterize the social conditioning of the application of return to combat illegal migration in different socio-political conditions in comparison with the foreign experience of border management.

Conducting the forced return and removal of foreigners (stateless persons) of the object also characterizes the administrative and jurisdictional content of the procedural activity. Making a decision on the application of return has been transferred to the purely administrative sphere of competence of individual bodies, in particular, state border protection bodies. Judicial control is carried out for the detention of illegal migrants with the provision of enforcement of diversion.

The evaluation of the effectiveness of the return policy of illegal migrants is based on the indicators of the fulfillment of the goals of the integrated border management strategy. It is proposed to highlight the legal, qualitative and psychological components of such efficiency.

Keywords: *administrative-jurisdictional activity, illegal migrant, integration of border management, judicial control, reproduction, return.*

Introduction

Movement in space has become an outstanding feature of human existence. Migrating from place to place in search of means of subsistence or avoiding a powerful enemy, people have spread over most of the earth's surface since ancient times. Human migrations within recorded history have



transformed the entire aspect of lands and continents and the racial, ethnic, and linguistic composition of their populations (Britannica).

Current estimates of IOM are that there are 281 million international migrants globally (or 3.6 % of the world's population). While the vast majority of people in the world continue to live in the country in which they were born, more people are migrating to other countries, especially those within their region. Global displacement is at a record high, with the number of internally displaced at around 71.2 million and the number of refugees and asylum seekers at 40.7 million (World Migration Report 2024).

The diversity of ideas about migration leads to its classification and typology. In the context of ensuring border security, it is important to establish among possible migration processes those that should be considered illegal. The complexity of the situation lies in the fact that illegal migration has not been overcome, but is taking on new manifestations. The geopolitical outlook with potential implications for European border management is deteriorating, and developments in the Middle East have added to an already long list of concerns. The war in Ukraine and the prospect of renewed hybrid threats on the Belarusian border continue unabated, in fact the latter has been complemented by a rising threat on the Russian-Finnish border (Annual Risk Analysis 2024/2025).

A typology based on a legal principle is very important for migration. Official and legal status means access to the labor market in the host country, the right to social and medical assistance, as well as certain civil rights. In contrast, irregular migrants may face detention, removal, deportation, prosecution, and an increased risk of rights violations. Legal regulations can vary from country to country, with differences in employment rules, citizenship and naturalization policies, as well as refugee status determination or family reunification. The migration policy of one or another state may differ depending on objective circumstances, as well as subjective perceptions. Ultimately, this affects the determination of the illegality of the relevant migration acts.

Among a wide range of various methods of influence aimed at combating illegal migration, a special purpose belongs to measures of administrative coercion. They turned out to be a universal means of response to this problem, which became widespread. The procedural procedure for the application and implementation of forced restoration by the state border protection authorities of the state violated by illegal migration is poorly studied due to its ambiguous legal nature.

The chosen European integration course encouraged Ukraine to implement the European practice of border management. An innovative way to ensure border security in Europe has become integrated border management, part of which is recognized as the return of third-country

nationals in respect of whom there are return decisions issued by a member state of the European Union.

The purpose of the article is to study the return of illegal migrants, according to its purpose and the current state of legal regulation in the general system of integrated border management. The main tasks of the work are subordinated to this goal: clarifying the destination of the return of illegal migrants as a component of integrated border management; analysis of regulatory and legal support of return procedures in Ukraine and the status of subjects authorized to carry them out; determination of indicators of the effectiveness of the return policy of illegal migrants.

The methodological basis of the conducted research was the system-structural and functional methods, on the basis of which the content of the regulatory and legal support for the return of illegal migrants as a strategic task in the field of integrated border management was clarified. The comparative legal method was used to characterize European approaches to the use of return in countering illegal migration.

The article focuses on the study of the current state of legal regulation of the return of illegal migrants and related changes to the legislation on the legal status of foreigners and integrated border management that occurred in the period starting from 2023.

The main part

In accordance with the Treaty of Lisbon, the gradual introduction of integrated border management (hereinafter – IBM) is envisaged as a tool for creating an area of freedom, security and justice with respect for fundamental rights, as well as various legal systems and traditions of the EU member states (Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, 2007). At the current stage of EU development, integrated border management has been defined in accordance with secondary legislation - Regulation (EU) No. 2016/1624 of September 14, 2016, which reorganized the European Border and Coast Guard (hereinafter – FRONTEX). According to this document, IBM is an extremely multifaceted concept, as evidenced by the fact that it covers 12 components according to art. 4 of the specified regulation.

The development of border policy in Ukraine is associated with the introduction of European mechanisms of integrated border management (Nikiforenko, 2020). In accordance with the current legal regulations, integrated border management is a coordinated activity of the competent state bodies of Ukraine and military formations, aimed at creating and maintaining a balance between ensuring the appropriate level of border security and maintaining the openness of the state border of Ukraine for legal

cross-border cooperation, as well as for travelers. The strategy of integrated border management, first of all, reflects the European integration aspirations of Ukraine, as it is aimed at fulfilling national obligations for the implementation of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part (Strategy of integrated border management for the period until 2025).

The trend of the last period in the national legal mechanism has become regulatory regulation of the basic principles of integrated border management as part of security legislation. The strategy of integrated border management is included in the list of long-term planning documents in the spheres of national security and defense. An important rule has been formulated, according to which the Strategy of Integrated Management of the State Border of Ukraine is developed on behalf of the Cabinet of Ministers of Ukraine by the central executive body implementing the state policy in the field of protection of the state border of Ukraine, after the approval of the National Security Strategy of Ukraine (Law of Ukraine of July 16, 2024 No. 3858-IX).

The defined approach generally corresponds to global ideas about border management and its purpose in ensuring national security in the face of migration challenges. At the end of the 20th century M. Weiner emphasized the fact that with the end of the Cold War, the notion of "security" has taken on an entirely new dimension. Both states and regimes can be made insecure by factors other than the threat of armed attack, and among these is clearly an unwanted population influx. The hopes of millions of migrants and refugees for a better life and freedom from violence and repression are matched by the fears of many governments and their citizens that a massive influx of newcomers will impose strains on the economy, upset a precarious ethnic balance, weaken the national identity, and threaten political upheaval (Weiner, 1996).

The desire to combine international migration and security (securitization migration) arises when large groups of ethnically, racially, and culturally different immigrants (from Asia and Africa) appear in developed countries (in particular, Europe). Cultural differences are indicated and not only national identity in general, but ethno-cultural identities of both the indigenous population and immigrant groups are called into question (Rovenchak & Yavorskyi, 2013).

As a result, F. B. Adamson points to two areas in which migration influences state capacity and autonomy are border control and national identity. The ability of states to maintain control over their borders and to formulate a coherent national identity are arguably necessary preconditions for the maintenance of state security in other areas (Adamson, 2006).

Return of third-country nationals for whom there are return decisions issued by an EU member state has become a separate component of European integrated border management (Regulation (EU) No 2016/1624). In this way, the European return policy demonstrates the inextricable relationship between the protection of the state border and the implementation of law enforcement functions in the migration sphere. Return decisions remain the sole responsibility of EU member states. It means an administrative or judicial decision or act that recognizes or declares the stay of a third-country national to be illegal and imposes or establishes an obligation to return. At the same time, FRONTEX is involved in return operations, which should provide Member States with technical and operational assistance and ensure the coordination or organization of return operations, including by leasing aircraft for such operations and organizing return by regular flights or other modes of transport (Regulation (EU) No 2016/1624).

The understanding of 'return' is related to a separate regulation, in accordance with Directive No. 2008/115/EC of the European Parliament and the Council on general rules and procedures to be applied in member states for the return of illegally staying third-country nationals. According to its provisions, 'return' means the process of a third-country national going back – whether in voluntary compliance with an obligation to return, or enforced – to:

- his or her country of origin, or
- a country of transit in accordance with Community or bilateral readmission agreements or other arrangements, or
- another third country, to which the third-country national concerned voluntarily decides to return and in which he or she will be accepted (Directive 2008/115/EC).

This document also distinguishes similar criminal procedural measures in the case of a criminal sanction that involves or results in return, in accordance with national law, or an extradition procedure. In fact, this Directive refers to the general standards and procedures to be applied in the member states for the return of citizens of third countries who are illegally present in their territories to the sphere of administrative and legal regulation (Directive 2008/115/EC).

Administrative coercion, aimed at directly combating illegal migration, is under the influence of one of the key tasks characteristic of the implementation of migration policy - eliminating the possibility of an unwanted person staying on the territory of the state. Achieving such a result is a criterion for selecting, firstly, measures of forced removal from the country (preventing an illegal migrant (potential illegal migrant) from the

country) and, secondly, measures calculated for a different result (punishment, termination, etc.).

Each of the types of measures of administrative coercion has its purpose, specifics, and at the same time general features that come from the state's authoritative nature of management functions. The following methodological principles should be taken into account when determining the administrative coercive measures used to combat illegal migration.

The method of influence is considered coercive if it is mandatory. It cannot be considered coercive measures when the persons to whom they are allegedly applied can evade them without any consequences. In this regard, A. T. Komzyuk, in defining the main properties of administrative coercion, emphasizes precisely the coercive nature of measures that are applied regardless of the will and desire of legally bound subjects (Komzuk, 2002).

Based on considerations of protection of the rights and freedoms of a person and a citizen, the legality of the application of a coercive measure is conditioned not only by certain (usually administrative-legal) regulation, but also by public interest. Characterizing the Austro-German concept of "free discretion" in the activity of administrative bodies, G. Y. Tkach points out that "where there is no legal restriction, the administration has freedom of action as a person", but its body "...must act as its official duty dictates" connection, in accordance with the public interest" (Averyanov et al., 2002). At the same time, the activities of the State Border Service of Ukraine are characterized based on "the need to ensure the protection and protection of the state border of Ukraine and compliance with the general legal principle of justice" (Snigeriov & Tsarenko, 2017), and the use of administrative coercion depends "on the legal status of the state border in order to protect the established state border of law and order" (Polovnikov, 2007).

The administrative nature of coercive measures in the field of migration is determined by industry regulations and not by the prevailing extrajudicial procedure for their application. Since forced return and forced deportation are interrelated according to the grounds for applying these measures, the subject composition of bodies authorized to initiate deportation is the same as that established for making decisions on forced return. Since 2023, Ukraine has simplified the procedure for the forced deportation of illegal migrants who are detained for illegally crossing the state border or other gross violations of Ukrainian legislation, by granting the right to make such decisions to the relevant state non-judicial bodies (the State Migration Service, the Security Service of Ukraine, state border protection bodies). Their powers in administrative proceedings regarding the application of forced return and forced deportation of foreigners and stateless persons are jurisdictional in their procedural nature and

interconnected in accordance with legal regulation (Law of Ukraine of September 22, 2011 No 3773-VI).

Local general courts as administrative courts are authorized to exercise judicial control and make decisions on the detention of foreigners (stateless persons) for the purpose of identification and/or ensuring forced deportation outside the territory of Ukraine, as well as alternative measures to detention (The Code of Administrative Proceedings of Ukraine of 2005). It is in this way that the provisions of Art. 29 of the Constitution of Ukraine, according to which no one can be arrested or detained other than by reasoned court decision and only on the grounds and in the manner established by law (Constitution of Ukraine of 1996). The administrative court preventively protects the rights and interests of the defendant (i.e., a foreigner or stateless person) if the claims are unfounded, although, at first glance, the application of coercive measures to natural persons does not correspond to the tasks of administrative proceedings (Smokovych, 2012).

The return of illegal migrants is considered not only as a coercive measure or a combination of them. There is talk of state, and in the context of Directive No. 2008/115/EU, even international return policy. It is in this sense that return is part of integrated border management and is oriented towards achieving a political result - maintaining a balance between the effectiveness of coercive measures and the protection of human rights (Judgment of the court (Third Chamber) 5 June 2014; The Recast of the EU Returns Directive: Human Rights Lost Again, 2019).

At the current stage, the national adaptation of the return policy of illegal migrants involves achieving the goals of the Integrated Border Management Strategy. It is in this relationship that its effectiveness should be evaluated. The legal component (criterion) of such effectiveness should be considered to be compliance with legal regulations and the achievement of the public interest - the migration legal order. A quantitative component (criterion) of effectiveness is an established mechanism of interdepartmental control of the migration situation, which ensures timely detection of illegal migrants, their identification and return to the countries of origin (arrival) and an increase in the share of illegal migrants who voluntarily left Ukraine in relation to those who were forcibly returned or expelled. The psychological component (criterion) of effectiveness consists in achieving the possibility of a clear understanding by potential migrants that the only way to take advantage of the benefits of immigration is to comply with the norms of migration legislation and, ultimately, in the opposite case, the return procedure is inevitable.

Conclusions and suggestions

The assessment of the danger of illegal migration creates the basis for the development of levers of influence characteristic of the state's security policy. Since migration is related to the movement of people from one country to another, the intensification of its illegal manifestations is recognized as one of the main threats in the field of state border protection. The implementation of key program tasks related to the protection of the border from all types of illegal activities that threaten national security, stability and development of the state takes place through the introduction of integrated border management.

Strategic planning and conceptual principles of border management in Ukraine are formed taking into account European approaches to the organization of management in the border area, complex and dynamic geopolitical environment. Taking this into account, the strategic goals and tasks for the implementation of state policy in the field of integrated border management are designed to improve the procedures for the return of illegal migrants. The trend of the last period in the national legal mechanism was the regulation of the basic principles of integrated border management as part of security legislation, which also reflects the interrelationship of security with the problem of migration and border protection.

The main measures for the return of foreigners and stateless persons who violated the legislation of Ukraine on border issues received administrative and legal regulation. The procedure for the forced deportation of illegal migrants has been simplified by granting the right to make such decisions to non-judicial bodies. Administrative courts, based on the claims of such state bodies, are authorized to make decisions on the detention of foreigners and stateless persons for the purpose of identification and/or ensuring forced deportation outside the territory of Ukraine, as well as alternative measures to detention.

The return of illegal migrants is considered in the context of state, or even interstate, return policies focused on maintaining a balance between the effectiveness of coercive measures and the protection of human rights. Evaluation of the effectiveness of the return policy is carried out on the basis of legal, quantitative and psychological components (criteria). Compliance legal regulation (legal criterion) precedes the achievement of an increase in the share of illegal migrants who voluntarily left Ukraine (quantitative criterion) and, ultimately, the development of a clear understanding by potential illegal migrants that the only way to take advantage of the benefits of immigration is to comply with the norms of migration legislation (psychological criterion). The proposed legal and psychological criteria complement the quantitative one, which is considered as an indicator of the

implementation of the strategic goal of implementing state policy in the field of integrated border management. The parameters of measurability of each of the proposed criteria as indicators of an effective policy for the return of illegal migrants are the subject of promising scientific research.

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DOCUMENT EXAMINATION ISSUES AT BORDER CROSSING POINTS AND POSSIBLE SOLUTIONS

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Abstract. *Document examinations conducted by the Latvian Border Guard Service at border crossing points are important for ensuring security and control of people crossing the state border. However, existing border check processes often face challenges such as traffic congestion, slow border check speeds, human errors, and the risk of document forgery. These issues can lead to delays, reduce the efficiency of border checks, and increase the risk of travelers with forgotten or illegal documents crossing the state border of the Republic of Latvia. This study aims to analyze the existing problems in document examination and identify possible solutions. The research used several methods, including analysis of documents and normative acts and interviews with experts who regularly conduct document examinations at border crossing points. The study's objectives are to examine current problems and challenges, collect and analyze experts' opinions concerning document examination.*

Keywords: *border checks, border crossing point, border guard, document examination.*

Introduction

Effective document examination at border crossing points is a crucial process for verifying the identity of travelers and ensuring compliance with entry and exit requirements. This process includes checking and verifying various documents, such as passports, visas, residence permits, and other travel-related documents. Document examination is necessary to ensure national security, and prevent illegal immigration, criminal activity, and other risks. Therefore, the process must be efficient and thorough. However, modern examination methods face several problems, including long queues, human error, and the use of forged travel documents. This paper reviews the main issues related to document examination and suggests possible solutions to improve its efficiency.

The Document Examination Procedure at Border Crossing Points

Border checks are the checks carried out at border crossing points to ensure that persons, including their means of transport and the objects in



their possession, may be authorized to enter the territory of the Member States or to leave it (Schengen Borders Code, 2016).

Border check procedures at border crossing points are primarily carried out by border guards to ensure that individuals crossing the border meet the entry requirements for the Schengen area. The document examination procedure at border crossing points may vary depending on the country and its established rules and requirements. However, in general, the document examination process includes the following key steps:

1. **Presentation of Documents to the Border Guard:** The traveler must present their set of travel documents to the border guards. This is usually a passport, identity card, visa, residence permit, or other documents that meet the entry or exit requirements.
2. **Document Check:** Border guards conduct a careful inspection of documents to ensure that they are authentic and compliant. This includes a visual check that evaluates the physical features of the documents, such as holograms, security features, ink, and paper quality. In addition, technical equipment, such as scanning devices, may be used to verify biometric data or other security features.
3. **Traveler Identity Verification:** Border guards verify the identity of the traveler to ensure that the person is who he or she claims to be. This may include facial recognition, fingerprint scanning, or other biometric identification methods to compare the traveler's data with the information recorded in the documents.
4. **Data Verification and Information Exchange:** Border guards check the traveler's data against databases and information systems to ensure compliance and mitigate any risks. This includes verifying whether the traveler is on a watch list, whether alerts or arrest warrants have been issued, and whether the traveler is linked to criminal activity or terrorism.
5. **Decision Making:** After checking the documents and data, border guards decide whether the travelers should enter or leave the state. If the travel documents are authentic and the person meets the requirements, they are allowed to cross the border. If there are suspicions about the authenticity of the travel documents (e.g., forgery) or other violations, border guards may carry out second-line check. Second-line checks are further checks that may be carried out in a special location away from the place where all persons are checked (Practical Handbook for Border Guards (Schengen Handbook), 2022).

In general, the document examination procedure at border crossing points includes the presentation of travel documents, their verification, traveler identification, data verification, and the decision to cross the state

border. This procedure is carried out to ensure national security and prevent illegal immigration, criminal activities, and other risks. To provide effective and thorough document examination, border guards must be trained and competent in detecting forged documents.

Issues in Document Examination and Potential Solutions

Document examination at border crossing points is a critical security measure needed to protect national borders and regulate the flow of people. Despite its importance, this process presents serious challenges. First of all, there is a constant risk of encountering improperly executed or forged documents. Secondly, modern examination technologies often have shortcomings, such as the lack of accuracy and reliability in scanning and recognition systems. Third, the high number of travelers places a significant strain on the examination infrastructure, complicating document processing and increasing the likelihood of errors. In addition, fatigue of staff working under constant stress (pressure) can undermine their alertness and efficiency, further impacting the accuracy of document examination.

This section analyzes the problems related to document examination problems that exist in different units of the State Border Guard's border control.

According to the explanation provided in the scientific literature, a survey is a method of collecting preliminary information that involves asking the research subjects oral or written questions related to the empirical level of the research problem, as well as statistically processing the obtained answers.

The survey method is recognized as one of the most effective ways to gather various types of information – about what people think, their preferences, needs, beliefs, attitudes, and opinions.

The authors examine the responses of officials from the State Border Guard's border control units to questions related to document examination issues and explore potential solutions to these problems.

A total of 100 respondents from various border control units were interviewed to investigate issues related to document examination and identify potential solutions.

Within the scope of the study, officials from the State Border Guard were asked the following questions, which were subsequently compiled:

1. Does your unit face issues related to document examination?
2. Can you describe the specific challenges you face during document examination?
3. What improvements would you recommend to enhance the quality of document examination?

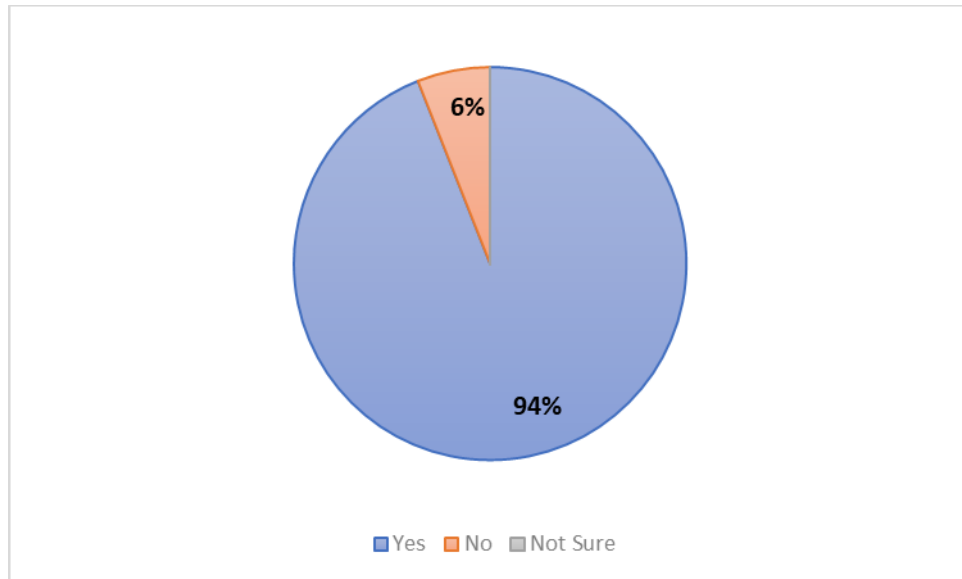


Fig.1 Does your unit face issues related to document examination?
(compiled by authors)

The survey conducted on potential problems with document examination in border control units provides insights into the staff's experiences and opinions regarding these issues.

The survey results indicate that a significant portion of respondents have encountered issues related to document examination. 94% of respondents acknowledged that there are certain complications, suggesting that the document examination process is not entirely straightforward and efficient. Meanwhile, 6% of respondents indicated that the problems are either negligible or minimal.

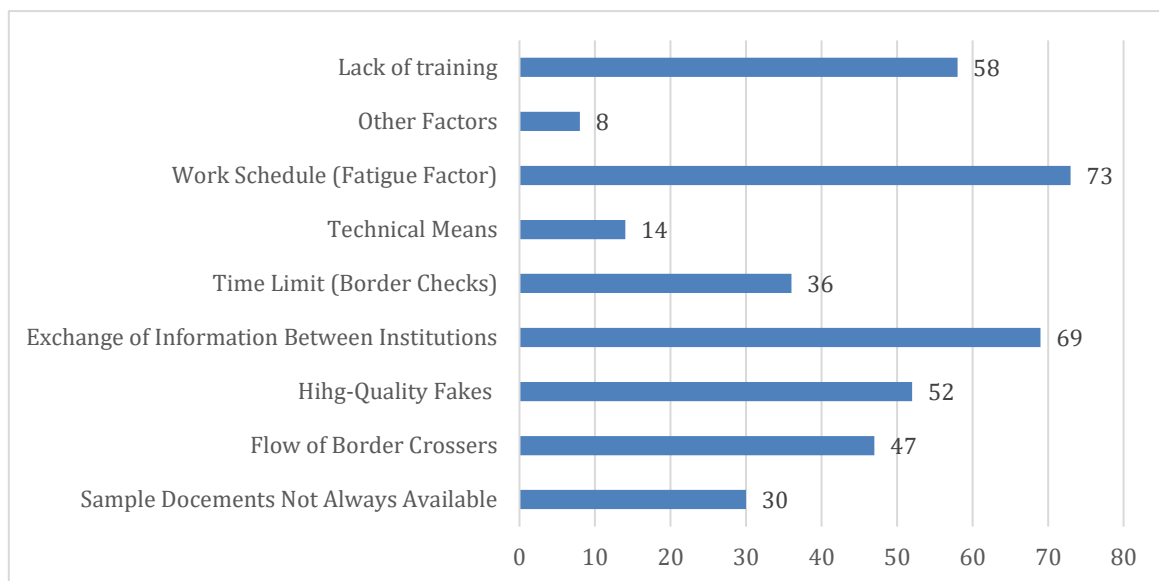


Fig.2 Can you describe the specific challenges you face during document examination? (compiled by authors)

Respondents' answers highlighted several significant challenges during document examination, which can be categorized into different groups. The percentage distribution indicates the extent to which each issue was recognized as significant by the respondents.

Key Issues:

1. **Work Schedule (Fatigue Factor):** 73% of respondents identified fatigue due to work schedules as a major issue impacting the quality of document examination. This indicates that overwork and exhaustion can negatively affect the accuracy and thoroughness of the examination process.
2. **Information Exchange Between Institutions:** 69% of respondents cited insufficient information exchange as a key problem. This suggests fragmented communication or a lack of collaboration between different institutions, which hinders effective document examination.
3. **Lack of Training:** 58% of respondents emphasized the need for better training, indicating that staff felt they lacked the knowledge or skills to effectively detect forgery or other violations.
4. **High-Quality Fakes:** 52% of respondents recognized that they face difficulties in identifying high-quality forgeries. This indicates that advances in forgery technology are creating significant challenges on the document examination process.

Medium - Level Issues:

1. **Flow of Border Crossers:** 47% of respondents identified the high volume of border crossers as a serious problem. This suggests that processes need to be improved to better manage the high volume of work.
2. **Time Constraints for Inspections:** 36% of respondents noted a lack of time during document examination. This suggests that the limited time for border checks can negatively affect the quality of the travel document verification process.

Less Common Issues:

1. **Lack of Updated Document Samples:** 30% of respondents indicated that updated document samples are not always available, which could hinder their ability to identify forgeries.
2. **Technical Equipment:** 14% of respondents pointed out a lack of technical equipment. While this is an important factor, it is not considered as widespread a problem as others.

3. **Other Factors:** 8% of respondents mentioned other issues not specifically covered in the aforementioned categories.

Overall, it can be concluded that the main issues faced by State Border Guard officials are related to human resource management (fatigue and work schedules), inter-agency collaboration and information exchange, as well as employee training and technological support. Potential solutions could include better management of employee workloads, improved collaboration between institutions, more frequent and intensive training, and enhancements in technical resources.

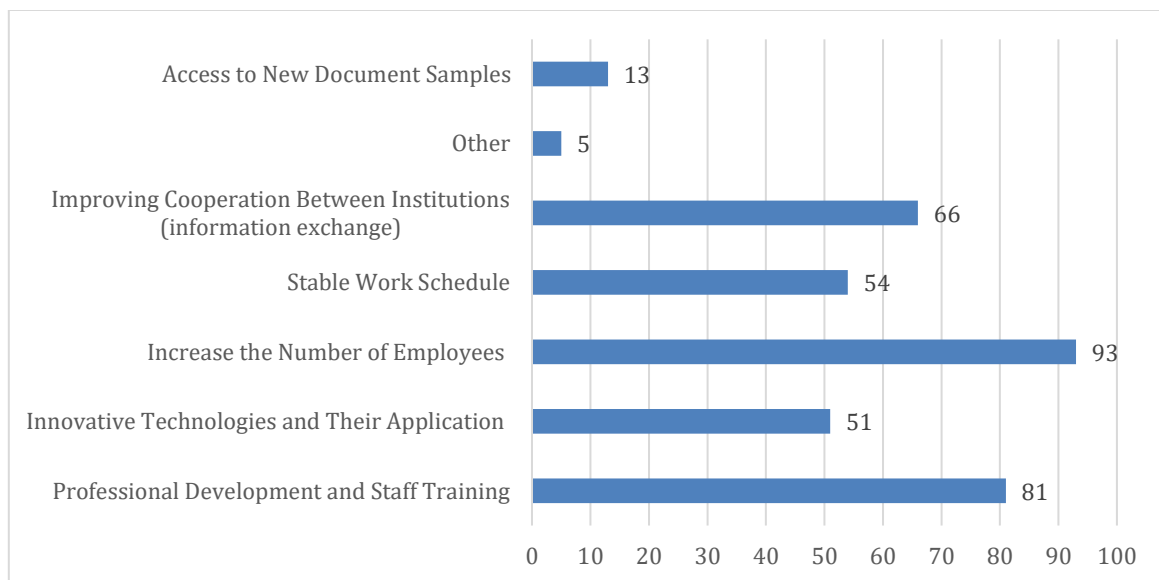


Fig.3 What improvements would you recommend to enhance the quality of document examination? (compiled by authors)

93% of respondents believe that additional staff could significantly enhance the document examination process by reducing workload and improving efficiency.

Meanwhile, 81% of respondents consider that training and professional development opportunities are crucial for improving the quality of document verification.

51% of respondents recommend using modern technologies to improve the efficiency of border check procedures, including technical equipment, databases, and digital verification systems.

66% believe that improved cooperation between institutions could expedite information exchange and enhance the document examination process.

54% of respondents believe that a stable work schedule could help improve the efficiency of document examination.

13% of respondents believe that access to new versions of document samples could be beneficial.

5% of respondents proposed other solutions that were not detailed.

Overall, it can be concluded that the majority of respondents believe the document examination process could be significantly improved by increasing personnel resources and enhancing training. The use of modern technologies, improved inter-institutional cooperation, and a stable work schedule are viewed as key factors that could boost efficiency.

Conclusions and suggestions

The study clarified the essence of the topic, identified the main aspects, and provided recommendations for border control unit officials to enhance the effectiveness of document examination. As a result, the following conclusions and suggestions were developed:

1. Optimize the number of staff performing border control functions to increase the efficiency of border check processes, thereby reducing fatigue and improving the quality and efficiency of the service.
2. Regularly update and replenish the State Border Guard's electronic resources with the latest document samples from other countries, thus ensuring a higher quality of document examination.
3. Regularly train the staff on the latest trends in document forgery to ensure a more efficient border check process.
4. Improve the information exchange mechanism between institutions to facilitate faster decision-making during the document examination process.
5. Continue developing technical support for border check processes (e.g., automated inspection systems, biometric data usage systems, artificial intelligence) to enhance efficiency, accuracy, quality, and speed in the document examination process.

It may be noted that the European Traveler Information and Authorization System (ETIAS) is planned to be implemented shortly, which will provide opportunities to improve border check procedures. This system will allow the analysis of traveler data, which will help to identify potential risks and violations even before entering the country.

The aim of ETIAS is not only to speed up the border check procedures but also to improve security by ensuring that all necessary data is verified at the state border. This will lead to a more efficient and faster border check procedure, which will help to reduce the number of illegal entries into the country.

The implementation of the aforementioned recommendations will significantly improve the quality and efficiency of border control units, ensuring more reliable monitoring of state border crossings. The use of modern technologies, combined with continuous staff training, will accelerate and enhance the accuracy of document examination, minimizing the risks of forgery. Standardizing procedures and strengthening interagency cooperation will also contribute to more coordinated and effective work among all entities responsible for border checks, ultimately leading to enhanced national security and stability.

According to the authors, the implementation of these recommendations will be a key step toward improving border checks and ensuring a higher level of security.

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USE OF ADVANCED INFORMATION ON PERSONS CROSSING THE STATE BORDER AT AIR BORDER CROSSING POINTS

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Abstract. *Integrated border management is carried out in order to create and maintain a balance between ensuring an adequate level of border security and maintaining the openness of the state border for legitimate cross-border cooperation and for travelers. One of the ways to ensure such a balance is to use advanced information on persons crossing the state border.*

In Ukraine, four options for border checks procedures execution at air border crossing points were tested. They were executed: at BCP on the territory of Ukraine (standard procedure); on the board of the aircraft during the flight; on the territory of a neighboring state; before the international flights arrival by means of checksng advanced information according to the lists of passengers. The last of the listed methods was determined to be the most effective one.

Information about passengers of the flight is collected in two formats: personal data of passengers and crew members and flight details of a specific international flight (API) and a record created by air carriers or their authorized representatives for each international flight booked by or on behalf of any passenger (PNR).

So, the implementation of border checks of advanced information according flight passenger lists ensures a high level of organization of interaction with subjects of integrated border management; simplification of border checks and customs procedure for passengers traveling by plane; contributes to reducing the time for conducting control operations, etc.

Keywords: *Advance Passenger Information, border checks, border security, integrated border management, Passenger Name Record.*

Introduction

Global cross-border (military) conflicts, new hybrid wars, numerous threats taking place at the present stage significantly affect the state of international security in general and national security in particular, provision of which is a priority task of every developed state.

In the context of ensuring national security, countering international terrorism, cross-border organized crime, illegal migration, smuggling, and attempts to illegally transfer weapons of mass destruction, each state strives to find and implement new effective mechanisms for countering emerging threats. One of them is a mechanism for processing information received from air carriers regarding persons who cross the border by air, with the aim of predicting their further activities in the country of destination, identifying



potential threats to national security as a whole, increasing the level of aviation security, preventing acts of terrorism, commission of crimes, offenses of a transnational nature, as well as for the purpose of accompanying (persecuting) persons who are suspected of committing such crimes or offenses or who have already committed them (European Union [EU], 2012).

The aim of the research is to study the issue of the advanced information on persons who cross the state border by air and its implementation into border checks formalities execution.

For this purpose, the author is going to fulfill the following tasks:

1. to find out the concepts “advance passenger information” and “passenger name record”;
2. to analyze the procedure of interdepartmental interaction on the use of advanced personal registration data;
3. to study main aspects of Ukrainian legislation concerning the problem under research.

Research methods: theoretical analysis and generalization of scientific and legislative acts.

Analysis of the organization of interdepartmental interaction in the system of the law enforcement sector on the use of advanced personal registration data

It should be noted that prior to 2001, Advance Passenger Information (hereinafter in the text – API) and Passenger Name Record (hereinafter in the text – PNR) data were not widely used. The analysis of the organization of interdepartmental cooperation in the system of the law enforcement sector of the EU countries, the USA and other leading countries of the world showed that at the legislative level this process began in 2004. The issue of the possibility of obtaining information about aircraft passengers was first included in the agenda of the International Civil Aviation Organization (hereinafter in the text – ICAO) during the twelfth Specialized meeting on simplification of formalities, which took place in the capital of Egypt - Cairo. One of the results of the above-mentioned meeting was the adoption of recommendation B/5 with suggestions for the development of a certain toolkit for a number of states that may need it. It is about providing access to air passenger data registers to supplement identification data in databases, which is formed through the system of providing advance information on persons crossing the border at air border crossing points (API). This system combines the basic principles of data dissemination, storage and use, and contains a list of data elements that can be exchanged between an air carrier and a receiving State.

On April 29, 2004, the European Parliament adopted Directive No. 2004/82, which obliged air carriers to transfer passenger information to the relevant competent national authorities. A year later, in 2005, the ICAO Council approved the Recommended Practice with its inclusion in Annex 9 to the 1944 Chicago Convention "On International Civil Aviation", which was published the following year in April (ICAO, 1944).

The role of the United Nations (hereinafter in the text – the UN) is extremely important in the field of API/PNR implementation in world practice. Resolution No. 2178 of 2014 calls on all member states to require airlines carrying passengers through its territory to provide relevant data on persons crossing the border to the relevant national authorities. On April 27, 2016, the European Parliament and the Council approved Directive (EU) 2016/681 "On the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime", Article 14 of which states that EU member states are obliged to impose certain sanctions on air carriers who will not fulfill their obligations regarding the timely provision of necessary information about aircraft passengers to the relevant competent authorities. Annex II, in particular, contains a list of serious crimes for which the specified category of persons will be prosecuted. These are crimes such as human trafficking, sexual exploitation and violence, child pornography, rape, illegal trade in narcotic substances, weapons, ammunition, explosives, cybercrimes, acts of corruption, espionage, sabotage, fraud, environmental crimes, illegal trafficking of cultural values, organized armed robbery, trade in stolen vehicles, sabotage, etc.

According to Resolution No. 2396 of the UN Security Council (2017) all member states of the ICAO organization, starting from October 23, 2017, must create a system of preliminary data collection about passengers and require air carriers operating in its territory to provide pre-collected passenger information to the relevant competent national authorities in accordance with the domestic legislation of each state and its international obligations. In UN General Assembly Resolution No. 74/177 (2019) special attention is focused on the exchange of data between states in order to prevent the crossing of borders by foreign terrorist fighters.

The result of the above-mentioned legal documents was the creation of an API system – a database on preliminary information about passengers of aircraft making international trips. The guidelines of the API system were developed by the World Customs Organization (hereinafter in the text – WCO) in close cooperation with the International Air Transport Organization (hereinafter in the text – IATA). Subsequently, ICAO joined the formation process. This system is an electronic communication system that accumulates biographical data about passengers, basic information about

the flight provided by the air carrier. To obtain information of a biographical nature, as a rule, a foreign passport or other travel document issued by competent state authorities is used. The specified information is transmitted in electronic form to the representatives of the border checks and customs control bodies after the departure of the passengers to the point of destination. This information can later be compared with data from existing databases. Thus, it will make it possible to quickly and efficiently carry out the necessary formalities during the registration of passengers with a minimum level of risk.

Along with the API, the creation of a PNR (passenger registration) system for each flight when booking flights by an individual has become an important source of information about passengers. This system effectively complemented the API system, which enabled control bodies and services to carry out a more qualitative analysis of the degree of threat that may arise from the side of passengers, make a forecast of the development of a particular situation and analyze flight patterns.

If at the beginning of the use of the PNR data system, the basis was the achievement of improving the efficiency of operational and commercial services, then later in the process of use it became clear that this information will be useful to the authorities that carry out border checks and customs control, in the process of increasing the level of national security as a whole and aviation one, in particular, acceleration of border checks, customs and immigration formalities, effective fight against terrorism, etc.

PNR system data accumulation is based on several methods. Ticket reservations can be made by relevant international organizations with subsequent transfer of the necessary information to air carriers using automated reservation systems. Air carriers directly accept ticket booking applications, and PNR data may reside in global distribution systems. In order to ensure the performance of relevant functions at airports, some carriers may store PNR data in their own automated control systems.

In general, API and PNR data are exchanged according to the following scheme:

- 1) receiving API, PNR information from passengers;
- 2) primary data processing;
- 3) analytical processing of API, PNR data (databases checking; risk profiling; etc.);
- 4) verification of API, PNR information by other services.

States have the right to request PNR data only from air carriers that operate flights arriving at, departing from, and transiting an airport on their territory, or in the event of an unscheduled arrival at the destination airport. All states that receive PNR information are obliged to comply with a number of requirements for the protection of a person's personal data, namely:

- 1) use of data exclusively as intended;
- 2) the limited nature of access to this category of data;
- 3) ensuring the limitation of the storage period of PNR data (in accordance with the purpose of their transfer);
- 4) granting the right to persons to demand the disclosure of PNR information for the purpose of making appropriate corrections and notes;
- 5) compensation for damage in case of illegal processing of their personal data;
- 6) receipt/availability/transfer of personal data protocols and existing automated systems for the purpose of appropriate access to them (according to ICAO recommendations).

In practice, there are two ways of transferring PNR data:

- 1) the "pull" method, according to which the competent authorities of the relevant EU member state can gain access to the air carrier's reservation system and "pull" the necessary data from existing databases, i.e. receive "pull" copies;
- 2) the "push" method, according to which air carriers send the necessary information immediately to the database of the authorized competent body.

When choosing one or another method of data transfer, the state must consider their advantages and disadvantages (from the point of view of information protection) and assess the relevant risks, as well as take into account the economic component of the impact of each method on both the EU member state and the air carrier. In practice, in the process of transmitting PNR information, the "push" method is considered more reliable. Also, when determining the frequency of data provision, it is necessary to take into account the capabilities and limitations of existing air carrier systems. At the same time, the actual process of transferring PNR data should not stop, and it is the duty of each state to minimize the number of such transfers for each flight. The storage of this information should not exceed the appropriate (rational) time necessary to achieve a specific goal. In turn, the authorized competent bodies are obliged to ensure the appropriate level of storage and protection of PNR data. The relevant competent authorities are obliged to observe a reasonable balance between the need to ensure the protection of private passenger information and the right to disseminate it.

The air carrier must inform the passengers at the time of booking the plane tickets about the obligation to provide the competent authorities with PNR data about the air flight, and also that such information will be sent to the relevant authorities if necessary. The peculiarity of PNR data is that the air carrier cannot fully verify their completeness and authenticity, accordingly it is impossible to bring them to any legal, financial or other responsibility for the transmission of the received information, which may

turn out to be unreliable or falsified. In the case of rerouting flights to airports in other countries, it is advisable to take into account all the circumstances that may arise.

Analysis of changes in the legislation of Ukraine on the provision of advance information on persons crossing the state border by air

Ukraine is confidently moving towards the European Community, therefore every year our state adjusts its policy, implementing the norms of European legislation to our realities. In the context of the Directive of the European Parliament (2004) appropriate mechanisms for improving border checks procedures, combating illegal migration, human trafficking, etc., were introduced at the legislative level (European Court of Human Rights [ECHR], d.n.). Thus, in 2011, changes designed to speed up and simplify the procedure for border checks and customs clearance of passengers were prescribed in the Regulation, which became the basis of the Air Code of Ukraine. In accordance with the specified Regulation, the aircraft operator, air carrier, ground service entity is obliged to provide the state border protection authority, the customs authority involved in the implementation of border checks and customs control at air border crossing points, preliminary information about aircraft crew members , passengers on board, as well as regarding the cargo category (import, export, transit) (Verkhovna Rada Ukrainy, 2017).

During the preparatory stage for the final part of the European Football Championship in 2012, our state gained some experience in introducing temporary procedures for the provision of passenger lists by air carriers ("SITA" system), preliminary registration of citizens at the airports of such cities as Warsaw, Poznan, Wroclaw (Republic of Poland), conducting border checks formalities with the use of mobile border checks automation complexes "Potok-A" on board charter flights, as well as in order to simplify the registration of participants of the European Championship and football fans - the creation of separate workplaces of border checks inspectors (Shysholin, 2013). Air carriers were required to provide a standard message without a digital signature to Separate Border Checks Unit "Kyiv" and the State Customs Service regarding passengers of international flights using the secure channel "SITA". The information provided in a certain form was entered into the database "Information about persons who crossed the state border".

Since 2012, the following four variants of the organization and implementation of border checks at air border crossing points have been tested in Ukraine:

- 1) carrying out border checks procedures on the territory of one's state is a common practice;
- 2) registration of passengers during the flight of the aircraft in the air;
- 3) joint border checks (territory of a neighboring state);
- 4) implementation of preliminary border checks according to the lists of passengers of international flights provided in advance (Binkovskyi & Kotov, 2013).

A comparative analysis of the advantages and disadvantages of the above-mentioned variants of border checks at air border crossing points is shown in Table 1.

Table 1 Comparative analysis of the organization of border checks at air border crossing points (Nikiforenko, 2020)

Factors	Variants of border checks			
	Border checks on the territory of Ukraine	Border checks during flight on board the plane	Border checks on the territory of another state	Preliminary border checks based on passenger lists
Organizational documents	International agreements, technological schemes, duties of border guards, job descriptions			
The level of coordination of international events	Low		High	
The possibility of advance training of personnel	Situations arise suddenly			Availability of time for preparation
Planning of border checks measures	It is difficult to predict the possible development of the situation; limited time to make a pass/no pass decision			Effective
Intensity of work of border checks inspectors	High	Low	High	
Technical support	Regular databases	Access to databases is difficult (in some cases – impossible)		Regular databases and access to passenger data
Additional financial costs	None	Additional travel expenses (per diem) and compensation for staff accommodation		None

Since 2017, the Ukrainian legislation has been significantly expanded as to the rights of authorized state bodies regarding the list of information they can receive from air carriers. However, the list of data did not fully correspond to the list of information in accordance with the international API format (regarding the validity period of the passport document, name of the airline, international flight number, date, time of departure/landing of the aircraft, as well as the name of the airport where the departure/landing took place).

At that time, there was a draft Law of Ukraine "On the use of previous personal registration data in the fight against cross-border crime", which, unfortunately, after the full-scale invasion of the Russian Federation on the territory of our country on February 24, 2022 and the temporary suspension of the operation of all international airports, has not yet come into force. In accordance with the draft of this Law, it is suggested to create a National Center of Preliminary Data (hereinafter in the text – NCPD) in Ukraine, the functions of which will be assigned to a separate structural unit in the State Border Guard Service of Ukraine, which will deal with the accumulation and storage of preliminary personal registration data, the exchange of this data, their processing, check them in relevant databases (in accordance with the specified risk profiles), carry out analysis for the purpose of updating, canceling or creating relevant profiles of personal registration data and process statistical information. This center is open 24/7.

The NCPD will collect information about passengers of aircraft that operate international flights in two formats:

1) API – personal data of passengers and crew members and flight details of a specific international flight, collected in advance of the aircraft departure;

2) PNR – a record created by air carriers or their authorized representatives for each international flight booked by or on behalf of any passenger, which is stored in the air carrier's reservation systems, flight departure control systems or other departure control systems that provide similar functions (Berezniuk & Fradynskyi, 2017; Filipov, 2021).

In accordance with this Law, air carriers will be required to provide preliminary data: 1) 72 hours before the scheduled time of the international flight, as well as 48 and 24 hours before its departure for updated information in case of changes to this information; 2) not later than 30 minutes before the landing of the aircraft at the airport of Ukraine or after the completion of registration for an international flight departing from the airport of Ukraine.

In addition, in order to ensure the effective and timely transfer of information, the air carrier is obliged to provide data in paper form fourteen days before the start of the international flight regarding:

- 1) its name, address, phone number and e-mail;
- 2) selected data format used;
- 3) established schedule or program of international flights;
- 4) the accumulated category of advance data.

In the system of integrated border management, in order to maintain interdepartmental interaction, the competent authorities of the Ministries involved in the procedure send their representatives to the State Border Guard Service of Ukraine to perform the relevant tasks in the NCPD. These persons must be trained in the field of security and protection of personal data. Permission to perform tasks in the NCPS is granted by the Head of the State Border Guard Service of Ukraine upon a corresponding request to the interested competent authority. In accordance with this request, it is necessary to indicate the following data regarding the representative from each department:

- 1) the field of tasks to be performed, qualifications, experience and skills that the representative must have;
- 2) requirements for admission to work with the restricted access information and the period of its validity;
- 3) a defined period of performance of tasks, taking into account the possibilities of the organization of service in shifts;
- 4) duration of business trip;
- 5) the date of the start of the business trip;
- 6) the number of working hours at an automated workplace.

All data that is provided by air carriers will undergo mandatory verification regarding their compliance and completeness of the selected format, as well as compliance with the transfer deadlines. In the process of API and PNR verification, the information will be checked against the databases of assignments of authorized state bodies and against profiles of preliminary personal registration data. Preliminary data on citizens will be stored for five years from the moment of their submission, and at the end of this period they subject to immediate destruction.

Conclusions and suggestions

Taking into account the international experience the most effective of the options listed above is the introduction of preliminary border checks using flight passenger lists. This will ensure a high level of organization of interaction with subjects of integrated border management, which are involved in this issue, and coordination of international activities; will ensure

effective and high-quality planning of border checks measures at air border crossing points; will increase the time for control operations; will provide an opportunity to improve the service of border guard details without the need to attract additional financial costs, etc.

The possibility of obtaining such information in advance and its effective analysis will allow the competent authorities of Ukraine to identify passengers who represent a potentially high level of risk from the point of view of the terrorist threat, and to take appropriate preventive measures. Since the issue of combating terrorism is a priority issue of the national security of our country, its solution should be at the state level in terms of technical, resource equipment and regulatory basis.

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THE ISSUE OF USING TECHNICAL EQUIPMENT FOR THE DETECTION OF FORGED DOCUMENTS IN THE FIRST AND SECOND LINE OF CONTROL

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Abstract: *The study examines issues related to technical equipment for document verification and detection of forged documents in the first and second line. Today, counterfeiters use increasingly innovative methods and equipment, which necessitates the improvement of technologies for identifying counterfeit documents. The novelty of the research lies in the comparative analysis of the work efficiency of technical equipment in both the first and second line, with the aim of detecting and detecting various types of forged documents. The goal is to analyze the effectiveness of currently used technical equipment and the problems that can be encountered in the study and detection of forged documents. The procedure itself during border control is analyzed for them, as well as solutions to problems are given. The main tasks are the specifics and available functions of the existing technical equipment, solving problems in the use of these technical equipment, offering solutions.*

Keywords: *border check, documents, equipment, forgery detection methods, UV light.*

The detection of counterfeit documents is a crucial element in the border control and national security system. Today, with increasing migration flows and the activities of organized crime groups, document forgery methods are becoming more sophisticated, making the effective use of technical equipment critically important to ensure border security and prevent the use of counterfeit documents. The aim of the study is to analyze the use of technical equipment and assess the issues that arise in the process of detecting counterfeit documents, as well as to propose possible solutions to mitigate these problems.

Forgery, by its very nature, could be considered a form of materialized lies, which also includes the counterfeiting of documents (Mincs & Liholaja, 2005).

Document forgery can be categorized into the creation of a false document and the counterfeiting of a genuine document. Forging a document, seal, or stamp, as well as the use or distribution of forged documents, seals, or stamps, is a criminal offense. (VRK, 2024) Such



violations can be punishable by imprisonment for up to one year, short-term detention, probation supervision, community service, or a fine.

If these actions are carried out with the intent of financial gain, with prior agreement by a group of individuals, or if they have caused significant harm. (VRK, 2024). The penalty may be more severe—up to four years of imprisonment, short-term detention, probation supervision, community service, or a fine (Krimināllikums, 1999).

In the context of the Criminal Law, document forgery is defined as an act where a genuine document is replaced with a forged one, or alterations are made to a genuine document, such as erasure, etching, or correction. The first part of the mentioned article provides for liability for a criminal offense, while the second part applies to a less serious criminal offense (Krastins et al., 2007).

The Schengen Handbook stipulates that a full check is carried out for third-country nationals, i.e., those who are not citizens of EU or Schengen Area member states. This check is performed to ensure that they meet all the conditions for entering or exiting the Schengen Area (Robežsargu rokasgrāmata, 2019).

In addition, a supplementary document check can be conducted in what is known as a "second-line check." This is an in-depth inspection carried out in a designated area located outside the main control zone (first line), where all persons are screened (Robežsargu rokasgrāmata, 2019).

A second-line check may be conducted if there is suspicion or a need for further examination regarding a specific person or their documents (Regulation of the European Parliament and of the Council, 2016).

The first line, where the initial check takes place, is equipped with simpler inspection tools, while the second line uses more detailed and specialized equipment (United Nations Escap, 2024). However, both lines face various challenges related to the technical capabilities of the equipment, as well as human factors and time constraints.

Documents are widely used in various fields of human activity, which increases the likelihood that individuals may forge them more frequently. Therefore, timely and accurate verification of these documents is crucial to ensure their authenticity.

The amount of technical equipment required for border checks in State Border Guard units is determined by the Chief of the State Border Guard, taking into account the tasks to be performed by each respective unit, the scope of those tasks, as well as the unit's location and operational tactics (VRK, 2024).

- For more effective execution of border guard tasks, various technical tools are used depending on the specifics of the task. The Cabinet of Ministers' Regulation No. 675 of July 27, 2010, "Regulations on

Technical Equipment Required for Border Checks and Border Surveillance," defines the technical tools necessary for task execution (Regulations of the Cabinet of Ministers, 2010).

These regulations ensure that the use of technical equipment follows standards that guarantee the quality and accuracy of inspections (VRK, RTA, 2024). Without appropriate regulations, the use of technical equipment would be less effective for successfully detecting document forgeries.

The technical means of border control used for the inspection of persons, land vehicles, railway transport, aircraft, as well as vessels and the cargo and other items transported with them at border crossing points are (VRK, 2024):

- Equipment for primary document checks – for the inspection of personal and vehicle documents, as well as other legal documents presented at the border crossing point, for the verification and identification of individuals and presented documents;
- Devices for the automated reading and verification of visual and coded data in documents;
- Optical magnification devices with illumination;
- Illumination devices with different wavelengths (VRK, 2024).

Document authenticity verification is essential in various contexts to ensure that documents are genuine and lawful. Document authenticity checks help identify forged documents, which can be used for fraud or criminal activities. This verification prevents the use of illegal documents, such as forged driver's licenses or residence permits. During first-line border checks at the state border of the Republic of Latvia, the following document verification devices are used:

- Stationary document verification devices Regula 4205D.01;
- Mobile document verification devices Doculus Lumus DL 15x;
- Video spectral comparator REGULA 4305DMH.

Thus, the authors conclude that, in order to effectively prevent document forgery and ensure the security of national borders, it is essential to continuously develop technical equipment and improve border guards' training. Modern document verification devices help identify increasingly sophisticated forgeries, but the human factor and skills in using technology still play a significant role. Therefore, it is necessary to continue enhancing both the technical capabilities of the equipment and the skills of border guards to ensure accurate and timely document authenticity verification. Only in this way can the use of illegal documents be successfully prevented and the national security system strengthened.

Stationary document checkers are an essential tool for border control, ensuring efficient and accurate document checks. One of these technical

devices is Regulation 4205D.01, which is designed to help detect forged documents. In the following, the authors will provide a detailed description of the working capabilities and technical specifications of the Regulation 4205D.01 and provide a vision of how this equipment can help to improve the efficiency of border controls.

Stationary document inspection equipment Regulation 4205D.01 shall provide first line document inspection. Its intuitive interface and fast multi-touch interaction reduce the complexity of document verification, making the process more efficient and less burdensome. The enhanced capabilities for document authenticity verification at the first line improve the overall operational efficiency of border control by identifying a greater number of forged documents (REGULA, 2024). This device is equipped with light sources such as side light, top light, ultraviolet light source (365nm), top white light source, coaxial light source, or oblique beam light source, and a combined (holographic) light source, as well as infrared light sources (JPJuniper, 2024).

Regulation 4205D.01 has a number of advantages in terms of documentary checks for border checks, but often results in situations where lower efficiency is encountered.

Regulation 4205D.01 is not mobile given that it is a fixed document checking machine. It creates difficulties in the document checking procedures when the checking takes place outside the border inspection posts. Problems are sometimes encountered during document checks with high flows of people and vehicles, when insufficient processing speed and capacity constraints can cause congestion at the border checkpoint. Regulation 4205D.01 is designed for automated document checking, so officers also need to be able to deal with technical issues, including manual document checking where necessary, if they suspect the use of fraudulent documents.

The authors conclude that today's modern and advanced technologies, such as Regulation 4205D.01, significantly improve document verification, both in terms of professional document verification and the identification of fraudulent documents. Despite the fact that various types of technical equipment help and facilitate the work of officials, well-educated and professionally trained staff are essential. Any device cannot provide one hundred per cent security and quality but competent officers. The use of fixed equipment can cause problems in situations where there is a large flow of vehicles or people at the border, which can lead to congestion. Anyone should be able to be flexible and adapt quickly to different changing circumstances.

Additional strategies, such as the use of mobile augmentation devices and timely and in-depth training of officers, should be developed to

improve document control procedures. This aspect would allow for a better and more effective quality of document checks. Clearly, mutual cooperation is also a very important aspect. Cooperation in ensuring effective border control, which should be established between different types of organisation. Cooperation requires the exchange of information on authentic and forged documents.



**Fig.1. Stationary Document Inspection Equipment Regulation
4205D.01 (Regula, 2024)**

Another document checker that will be discussed is the Doculus Lumus DL. The Doculus Lumus DL is a portable document checker with 15x magnification, designed for first line authentication of documents.

It is very compact with innovative technological features, allowing officials to carry out efficient document verification both at border crossing points and beyond. A more in-depth description of the Doculus Lumus DL is provided below. Doculus Lumus is a portable/mobile document checker used primarily first line. Undoubtedly, given the functionality of the machine, it can be used for second-line verification as well as for in-depth forensic investigations.

The inherent working specificities of the Doculus Lumus have been developed to meet the requirements of rapid document verification, helping to authenticate documents. Doculus Lumus is specifically designed to meet first and second line verification, offering improved performance and reliability.

Doculus Lumus is equipped with high quality UV light of different wavelengths that can capture and display specific dyes. Built-in car skate light functions and watermarks in documents that are not visible to the naked eye. Using UV light, it is easy to detect signs of authenticity and to detect forgery attempts. Doculus Lumus can identify colour pigments, inks and paper types and detect any deviations from the original composition of the document.

Doculus Lumus can be connected and used with various additional software - USB, Bluetooth and Internet connections, thus making it easier to integrate with other document verification systems (Doculus Lumus, 2024).

Doculus Lumus is a mobile/portable document inspection machine whose performance can be affected by a variety of factors. Mobile/portable document inspection equipment often has limited battery life. Prolonged use or the need for frequent battery charging can cause problems, especially in the process of increased intensity. The professional use of mobile/portable equipment necessarily requires special - specific training to ensure that the users of the equipment can effectively use all available equipment functions. If the training is not provided in a high-quality and detailed scope, it will lead to incomplete use of the equipment and the achievement of inaccurate, low-quality results.

Mobile/portable document inspection equipment is also sensitive to various environmental factors, such as: humidity, temperature fluctuations, dust. These factors can affect the completeness of the equipment and the accuracy of the data. The longevity of the document inspection equipment is also affected in this way.

The authors conclude that the Doculus Lumus DL with x15 magnification is an excellent mobile/portable document inspection machine that provides high flexibility and efficient document authentication. This device combines innovative technologies and various light sources to accurately recognize signs of forgery in fully forged documents and detect manipulations in partial forgeries that are not allowed in original/authentic documents. Doculus Lumus can be connected and used with various additional software - USB, Bluetooth and Internet connections, thus facilitating integration with other document inspection systems (Doculus Lumus, 2024).

However, despite the various advantages, document verification equipment also has its limitations, such as battery life, the need for high-quality, professional training, and sensitivity to various environmental factors. The need for high-quality and professional training in Lumus can be explained by ensuring the full use of the document inspection equipment. This factor will improve accuracy efficiency and reduce errors. Taking into account the innovative development trends of various technologies, it is important to continuously improve both the equipment's functionality and the effectiveness of user training, which will be able to ensure the prevention of illegal documents and strengthen national and border security.



Fig. 2. Mobile Document Inspection Equipment Doculus Lumus DL 15x (Doculus Lumus, 2024)

Nowadays, when the forgery of various types of documents (from birth certificates to identity documents) is becoming more and more popular, the need for efficient and proven devices to verify the authenticity of documents is very important. One such solution is the Video Spectral Comparator Regula 4305 DMH. This stationary document inspection machine is designed for in-depth document inspection in the second line. This device offers the advantages of modern technology and ensures high accuracy and reliability of results.

The Video Spectral Comparator Regula 4305 DMH is a stationary inspection device used in second-line checks for in-depth document authenticity verification, as well as capturing images of various security elements, which are later reviewed by document experts. The Regula 4305 DMH features a set of white, IR, and UV light sources of different wavelengths. It is equipped with modules for MRZ, RFID chip, hidden image (IPI), and 1D and 2D barcode reading. For additional visual inspections, the device includes supplementary equipment such as a torch and the modified 10x magnifier Regula 1003M with two white light sources (Regula, 2024).

The control buttons and screen on the front panel allow operation even when the device is not connected to a computer. The video spectral comparator is controlled using the Regula Forensic Studio software, which can capture, process, and save images of inspected objects (Regula, 2024). The device is also equipped with a camera capable of providing high-resolution images, allowing for a detailed examination of documents (Regula, 2024).

Stationary Document Inspection Equipment Video Spectral Comparator Regula 4305 DMH is considered an excellent technological solution, but it may face future challenges. In order to ensure accurate document inspection, the document inspection equipment needs an appropriate environment - adequate lighting and a stable power source. Adverse conditions may affect work performance and the document review process. Regular software updates are required, which can cause additional problems. In order to ensure compliance of the equipment with the latest standards and necessary work functions, the software of the equipment must be updated in a timely manner. If the software is not regularly updated, it leads to the existence of insufficient information and a poor quality document review procedure.

Document checking equipment requires regular maintenance and repair in order to make full use of the equipment. If the maintenance of the equipment is not available, or if it is not carried out in a timely manner, this

can lead to a decrease in the working capacity of the document inspection equipment, as well as to quality results of performance of functions.

The authors conclude that, taking into account all the aspects presented above, the Video Spectral Comparator Regula 4305 DMH is an effective and high-quality document processing device for in-depth document inspection. The advantages of modern technology are offered in the form of this device. However, its performance depends on several factors - environmental conditions, timely maintenance and the need for software updates. In order to fully use this document checking equipment and to ensure high-quality document checking, it is important to continuously improve both the security software and also carry out high-quality training for the users of the equipment. Therefore, the Video Spectral Comparator Regulation 4305 DMH will maintain its relevance in modern document inspection procedures, effectively recognizing the sign of forgery and ensuring the quality inspection of documents.



Fig.3. Document Reader REGULA 70X4.111 (Regula, 2024)

During the document check, it is very important to identify and detect forged documents, this is one of the most important tasks of the border guard. Especially, taking into account the influx of illegal migration into the country and the activity of organized crime. Falsification of documents is a criminal offense punishable by imprisonment.

As new and new technologies develop, it becomes possible to use higher quality and more powerful document inspection equipment at border control points. The study analyzes the procedures for document inspection in the first and second line, simpler document inspection equipment is used in the first line, and more powerful and professional in the second line. Verification of the authenticity of the documents is very important to prevent any illegal activities with the documents. Technical equipment, such as stationary and mobile/portable, helps to detect and prevent the entry of forged documents into the country.

Effective action against the use of forged documents requires the use of high-quality, professional equipment, quality training for officers and

close cooperation between different authorities. The study analysed the problems faced by officers in the performance of their duties, as well as the problems associated with the use of technical equipment in the first and second line of detection of forged documents. By assessing the different types of technology and equipment, the study examined how they are used in document control, in the detection of forged documents and the problems that can arise in their use.

The first line, where different types of documents are initially checked, uses relatively simple technical equipment, such as equipment with standard light sources: UV light, scanning light, side light. These functions of the equipment help to identify security features and to detect signs of forgery in partially forged and fully forged documents. However, these document inspection machines have limitations in terms of accuracy and resolution, and their performance may be impaired by environmental factors, most often when used outside the premises.

For the second line of document examination, where more detailed examination of documents is required, in-depth document examination equipment and microscopes with different magnifications are used. These devices provide higher resolution and the possibility to examine the document more thoroughly, allowing the detection of signs of forgery. However, these devices also have their drawbacks, such as higher costs, the need for regular maintenance and regular training of staff. Technical problems with the equipment can occur due to various environmental factors.

When descriptions are made of forged or authentic documents, potential problems may arise with the quality of the images at a resolution that would allow document experts to easily determine their authenticity or to detect signs of forgery. The use of technical equipment in border controls to detect forged documents is of great and important importance. Despite the fact that the latest equipment for checking documents has been modernised, there is a real possibility of encountering various problems which may affect the quality of document checks. It is very important to continuously use the most innovative technologies, regularly and timely train the staff, as well as try to find different solutions for solving problems, if they arise, in the document verification process.

Based on the above, the authors put forward the following conclusions and proposals regarding the use of technical equipment in document verification and detection of forged documents at border control points.

Conclusions:

1. Document forgery is becoming increasingly complex, making it necessary for border control personnel to use modern technical tools to ensure effective detection of forgeries.
2. Technological advancements are crucial in the border control process, especially in first and second-line checks, where various devices enable the identification of forged documents with high accuracy.
3. In the first line, simpler devices such as UV light and optical magnification tools are used to help identify signs of forgery.
4. In the second line, a more detailed inspection is carried out using more advanced and specialized equipment, such as video spectral comparators and high-resolution image processing technologies.
5. The human factor and technical skills remain critical despite modern technologies, as effective use of the equipment requires well-trained personnel.
6. Stationary equipment is less suited for handling large flows of people, which can lead to bottlenecks, especially during high-intensity border control periods.
7. Environmental factors, such as temperature fluctuations and humidity, can negatively impact the performance and accuracy of technical equipment.

Suggestions:

1. Continue to develop and modernize technical equipment to handle increasingly complex forgery methods and ensure more accurate document verification.
2. Continue to improve training programs for border guards to enhance the effective use of technical equipment and reduce the possibility of errors.
3. Provide more flexible technical equipment, such as mobile verification devices, suitable for document checks outside of border control points.
4. Implement regular maintenance and updates for technical equipment to ensure its effectiveness and longevity in changing environmental conditions.
5. Promote inter-institutional cooperation in combating document forgery to improve information exchange and share best practices.
6. Review the placement and availability of equipment at border crossing points to ensure smooth handling of passenger flows and avoid bottlenecks.
7. Conduct further research on the impact of environmental factors on technical equipment to enhance device performance in various climatic conditions.

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OFFICIALS' OF THE STATE BORDER GUARD PROFESSIONAL INTERACTION WITH REPRESENTATIVES OF OTHER CULTURES, POSSIBLE OBSTACLES AND COMPLICATIONS

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Abstract. *In the performance of their official duties, SBG officials come into contact with representatives of other cultures on a daily basis. In order to effectively perform official duties, each SBG official needs not only to know the characteristics and peculiarities of other cultures, but also to be able to apply this knowledge in communication. The purpose of the research was to examine possible peculiarities of communication of State Border Guard officials with representatives of different cultures, to identify factors that influence effective communication, as well as to propose possible solutions to the problem. In order, to achieve the goal, the authors of the article set the following tasks: to study the literature on the peculiarities of communication with representatives of different cultures, to study the external and internal normative acts that determine the principles of communication of State Border Guard officials with representatives of other cultures, as well as, based on the obtained information, to draw conclusions and develop proposals for effective intercultural communication. In order to achieve the set objective, the following research methods were applied: literature research method, analysis method, descriptive method, statistical and data processing method. As part of the study, the authors concluded that there are several cultures in the world with certain distinctive characteristics, because each group of society and representatives of different religions have their own beliefs, language, symbols, ideas and values. The authors also concluded that SBG officials need to know the main features of other cultures in order to be able to create effective communication, as well as to avoid conflict situations during it. In order to improve the intercultural communication of SBG officials, the authors propose to put emphasis on the ethical norms, as well as the observance of the principles of non-discrimination and equality, in the performance of official duties. The authors of the article consider that the intercultural communication skills of SBG officials should be developed within the framework of the training/study programs implemented by SBG, placing emphasis on the role play of various practical situations.*

Keywords: *causes of intercultural communication occurrence, main problems of intercultural communication, Officials of the State Border Guard, peculiarities of non-verbal communication, legal regulation, verbal and non-verbal communication.*

Introduction

Nowadays, everyone has the opportunity to travel to other countries who wants to. Interest in traveling grows every year, because it is a unique



opportunity to get to know other countries, new cultures and broaden horizons. Namely, there are several reasons why people travel to other countries, as some of them can be mentioned - moving to relatives, stable life, job search, persecution in their own country, etc. The number of people crossing the Latvian border every day is very high. The first person to be seen and contacted by a border crossing person shall be a border guard. During the communication, verbal and non-verbal means of communication are used and the border crossing person gets a first impression of both the State Border Guard and the country. The main aspects of a first impression are appearance, facial expressions, gestures and eye contact.

Verbal communication is a type of communication where we use spoken and written words to get our message and information across to the other person. This definition of verbal communication highlights that whenever we use words to express our thoughts and feelings, we are verbally communicating - even when we are writing to someone (Pavlovics, 2023). According to experts, a substantial portion of our communication is nonverbal. Every day, we respond to thousands of nonverbal cues and behaviors including postures, facial expression, eye gaze, gestures, and tone of voice (Sooriya, 2017).

SBG officials deal with thousands of foreigners every day, directly and indirectly. Officials come into contact with different cultures, traditions, and religions as part of their official duties. The SBG official is the person who has to make the decisive decision - to allow or not to allow a person to cross the state border of the Republic of Latvia. In order to make an objective decision, the SBG official needs knowledge, skills and abilities in many areas, including intercultural communication.

In this field, the State Border Guard conducted research on, for example, the following topics: intercultural communication in the field of immigration; recognizing signs of lies through non-verbal communication; interviewing travellers and offenders; communication with persons crossing the state border at border crossing points, peculiarities of SBG officials' communication with representatives of different nationalities, religions and cultures in the performance of official duties.

Within the framework of this study, the authors will research scientific literature on intercultural communication, its peculiarities and main problems, as well as external and internal regulatory acts related to intercultural communication, analyze statistical data on illegal crossing of the state border of the Republic of Latvia and offer proposals for improving intercultural communication.

In order to achieve the objective of the research the following research tasks have been determined:

1. Study the literature in the field of intercultural communication, as well as verbal and non-verbal communication.
2. Investigate external and internal regulatory acts that discourage intercultural communication.
3. Draw conclusions and develop proposals for improving intercultural communication in the State Border Guard.

The following research methods were used: literature research method, analysis method, descriptive method, statistical and data processing method. Research period - 2023 - October 2024.

The concept of intercultural communication, the causes of its occurrence

Intercultural communication is often widely considered within communication studies, which often emphasize international business or international student migration. Initially, research was devoted to language, non-verbal behaviour and concepts such as culture shock, stereotypes and prejudice, but today research has expanded into much broader topics: identification, migration, health communication, intercultural relations, tourism and intercultural media use (Leeds-Hurwitz, 2017).

Before examining intercultural communication and its problems in the context of the State Border Guard, the authors of the article will provide information about the concept of intercultural communication. To understand what intercultural communication is and in what way it affects the performance of official duties of SBG officials, the method of studying certain concepts will help. Communication generally means the exchange of information between people using verbal and non-verbal means of communication. People exchange different ideas, emotions, thoughts, memories. Communication plays an important role in the quality performance of an official's duties. While performing duties, the official communicates with work colleagues, cooperation partners, border crossers and border violators. SBG official uses professional, practical communication techniques to clarify the purpose of entry, conditions of stay and other information of border crossers.

The term "culture" comes from the Latin verb *colere*, which meant - to process, take care of the land, take care of, cultivate, build, develop. The verb applies not only to agriculture or environmental transformation, but also to human development, knowledge acquisition and improvement (Bumanis et al., 2001).

Today, culture is interpreted as the way in which people who have similar positions and resources in the social space bring their perceptions, values, and behaviours to life in shared lifestyle forms.

One culture is not characteristic to all the people of the world, nor it can't be talked about one culture in the environment of people belonging to one country or one religion. In modern social science, it is generally accepted that concepts, ideas, words and other symbolic systems come from the society or group where they are used, so it usually looks at the cultures of certain social groups: the development and use of the concept of "culture" is related to people's values and beliefs about society, social change and the desired society.

The term "intercultural communication" refers to communication that takes place between people belonging to different cultures (Lazda-Mazula et al., 2009). Intercultural communication is a science that includes psychology, culturology, sociology, ethnology, linguistics and anthropology, and it is also indispensable because it can teach how to reduce the difficulties that arise in the process of communication between representatives of different cultures, as well as in cases where it will be necessary to reduce possible causes of conflicts (Teaching material "Intercultural communication", 2011).

Effective intercultural communication requires knowledge of the cultures and traditions of other nations, religions, as well as the peculiarities of countries. It should be noted that it is important to know not only verbal means of communication and their peculiarities, but also non-verbal ones. In this case, in order to successfully create intercultural communication, which will be beneficial to both parties, it is necessary to observe etiquette (Kļaviņš, 2021).

The occurrence of intercultural communication promotes the following causes - globalization, migration, immigration and emigration.

Globalization describes the growing interdependence of the world's economies, cultures, and populations, brought about by cross-border trade in goods and services, technology, and flows of investment, people, and information.

Migration – the movement of a person or of a group of persons within the territory of the same country and from that country to another country. Migration is divided into external and internal. Internal migration is movement within the territory of the same country, and external movement from one country to another.

Immigration - the international movement of people to a destination country of which they are not natives or where they do not possess citizenship in order to settle or reside there, especially as permanent residents or naturalized citizens, or to take up employment as a migrant worker or temporarily as a foreign worker (Dictionary of populism, 2024).

Emigration – the relocation or process of people leaving one country to reside in another.

The legal regulation in the field of intercultural communication

State border guard officials, while performing their official duties, need to fulfil the concluded international agreements, as well as understand them and be able to interpret them both in general and in relation to the internal laws of countries, as well as based on the principles of international law and international legal customs (Jundzis, 2018). The principles of intercultural communication are stipulated both in external regulatory documents, including the UN Universal Declaration of Human Rights, the Convention for the Protection of Human Rights and Fundamental Freedoms, and in SBG's internal regulatory documents - the State Border Guard Law, the State Border Guard Officials with a Special Service Rank and the Employee Code of Ethics, etc.

Article 2 of the UN Universal Declaration of Human Rights states that "Everyone shall enjoy all the rights and freedoms set forth in this Declaration, regardless of race, skin colour, sex, language, religion, political or other opinion, national or other origin, property status, rank or other status." (Ziemele, 2005).

In the context of intercultural communication, the Convention for the Protection of Human Rights and Fundamental Freedoms establishes the principle of non-discrimination, for example, in the Article 14 of the declaration it is stipulated that "The implementation of the rights and freedoms mentioned in this Convention is ensured without any discrimination - regardless of gender, race, skin colour, language, religion, political or other opinions, national or social origin, affiliation with a national minority, property status, order or other status." (Convention for the Protection of Human Rights and Fundamental Freedoms, 143/144, 13.06.1997.)

The code of ethics of State Border Guard officials with special rank and employee contains ethical values, ethical principles, rights and obligations of SBG officials and employees. Analysing this document, the authors of the article concluded that SBG officials in the context of intercultural communication must follow the following basic ethical principles: "The employee does not use words, gestures and hints that may offend the honour and dignity of other persons and do not correspond to business communication;" and "The employee observes the dress code, the external appearance and uniform (clothing) is neat, clean and orderly" (Code of Conduct of SBG, 2020).

The authors of the article examined and analysed the internal regulations of the State Border Guard No. 13 of October 16, 2023 "Service organization procedure in the structural units of the territorial administrations of the State Border Guard, which carry out border control

and immigration control", because the mentioned regulations describe how the work of a border guard who performs official duties is organized at border crossing points, border surveillance structural units and immigration control. These regulations stipulate that the SBG official must follow the established procedure, as it is not permissible for him/her to undermine public trust and create a negative first impression on arriving foreigners with his/her actions or external appearance (Internal Rules No 13 of the SBG, 2023).

Referring to the internal documents of the SBG, which are related to observing the principles of intercultural communication, it is necessary to mention the "Methodical instructions on interviewing persons crossing the border", which were approved on November 3, 2020 by SBG order No. 1285. The methodological instructions stipulate the actions of the SBG official during interviewing, as well as the most important signs that need to be paid attention to in order to detect lies are mentioned, questions that need to be asked during the interview are offered, it is determined how to formulate it correctly, and what kind of speech culture must be present that a foreigner would like to cooperate (Order No 125 of the SBG, 2020).

Observing and using the principles of intercultural communication is also stipulated in the Professional Qualification Requirements of SBG inspector, junior officer and senior officer. All the above-mentioned documents stipulate that the SBG official - SBG inspector, SBG junior officer and SBG senior officer must be able to communicate in a multicultural environment, observing the principles of intercultural communication.

The authors of the article consider that it is necessary to mention the Code of Conduct developed by the European Border and Coast Guard Agency (Frontex), which promotes professional values based on the principles of the rule of law and the respect of fundamental rights and establishes the ethical behaviour standards that guide all persons participating in Frontex activities (Frontex. Code of conduct, 2020).

Compliance with the requirements of the above-mentioned documents promotes effective communication with representatives of other cultures, ensures the fulfilment of legal official duties and increases public trust. Of course, in compliance with the requirements of these regulatory documents, official duties are performed legally and exclude many impermissible actions of officials.

Peculiarities of communication with representatives of other cultures

Considering the situation on the Latvia-Belarus border since July 2021 and a large number of illegal border crossings, the authors of the article will

use statistical data regarding illegal border crossings in the period from July 26, 2021 to December 31, 2023 in their research. Based on the statistical data of the State Border Guard 2023 report, in the above-mentioned period, a total of 1,149 persons were detained and 23,194 persons were prevented from illegally crossing the state border. Conversely, in 2023, 491 persons crossed the border of Latvia illegally and were detained (Unpublished materials of the SBG). The number and nationality of detained persons are reflected in Figure 1.

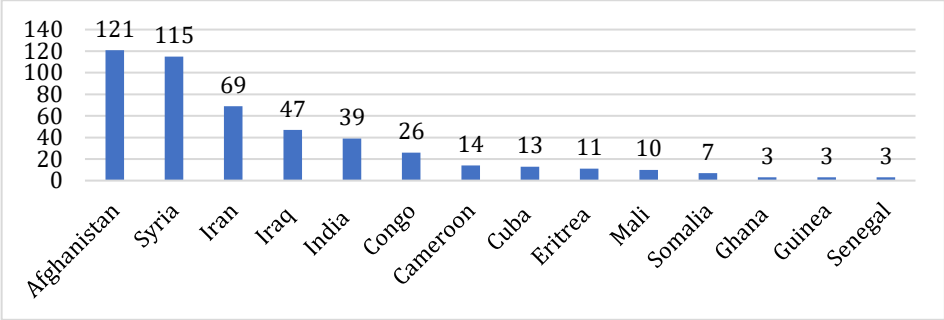


Fig. 1 The number and nationality of detained foreigners on the Latvian-Belarusian border in the period from July 26, 2021 to December 31, 2023 (Image created by the authors)

An analysis of the statistics presented in the Figure 1 shows that, for the most part, the Latvian state border was crossed illegally by people of the following countries - Afghanistan, Iraq, Iran, Syria and India. This fact can be explained by the low standard of living in the above-mentioned countries, as well as by war activities in some of them. In several cases of illegal crossing of the state border, the final destination of the border crossing persons was countries such as Germany and Poland, where the standard of living is relatively high. In order to prevent threats to national security and public health, the state border guard official, communicating with nationals of Afghanistan, Iraq, Iran, Syria and India, should be familiar with their culture, traditions, religion, as well as the peculiarities of verbal and non-verbal communication. Using intercultural communication knowledge and skills, the official will be able to ensure effective communication and detect signs of threats.

Based on statistical data, as well as taking into account that Islam is the main or most widespread religion in several countries, which are reflected in Figure 1, the authors of the article want to outline the main distinguishing features of Islam. Islam is the world's second largest religion and is spread across several countries in Asia and Africa. The list of cases of illegal border

crossing of Latvia includes the following countries where Islam is widespread - Afghanistan, Iran, Iraq, Syria, Somalia, Ghana, Guinea and Senegal. The representatives of this religion are Muslims, who are divided into two large groups - Sunnis and Shiites. The Quran is the holy scripture of Islam and is seen as Muslims main source of faith and religion. When communicating with the believers of Islam, it should be remembered that Muslims use their right hand when greeting or eating, as well as when handing an object to another person, because the left hand is used only for activities related to body hygiene, therefore it is considered impure (Shvarcs, 2013). Ramadan is considered one of the holiest months of the year for Muslims. In Ramadan, Muslims commemorate the revelation of the Quran, and fast from food and drink during the sunlit hours as a means of drawing closer to God and cultivating self-control, gratitude, and compassion for those less fortunate. Ramadan is a month of intense spiritual rejuvenation with a heightened focus on devotion, during which Muslims spend extra time reading the Quran and performing special prayers (Ing, 2024). Another distinguishing feature of Islam is the ritual of prayer. Muslims pray at the appointed time at least 5 times a day facing Mecca. There are also food prohibitions in Islam - it is forbidden to consume blood or the meat of a dead animal, as well as pork. At present, the consumption of alcohol is also categorically prohibited, although in the early stages of Islam, according to some researchers, there was no unequivocal and categorical prohibition. The main religious duties of Muslims are expressed in the 5 Pillars of Islam:

1. Solemnly declare faith in the only God Allah (shahada);
2. Say at least five prayers (salat) a day;
3. To make a special donation of part of the annual income to the community fund (zakat);
4. To observe a 30-day fast in the month of Ramadan (saum);
5. Make a pilgrimage to Mecca (hajj) (M.Hatšteins, 2008).

Fulfilling these duties is the duty of every believer. In the religion of Islam, every action is done to fulfil the worship of God and to please him.

Collecting and analysing information about Islam and Muslims from several sources, it is necessary to mention that, in several Muslim countries, there is still a strict separation of men and women in the public space (Geikina, 2017).

Conclusions and suggestions

Drawing up the scientific article, conducting research and analysis of the concept - intercultural communication, theoretical bases and binding legal

acts, collecting and analysing statistical data of SBG regarding illegal crossing of the state border and nationality of detained persons, the authors came to the following conclusions:

1. There are several cultures in the world with certain distinctive characteristics, because each group of society and representatives of different religions have their own beliefs, language, symbols, ideas and values.
2. The main components of intercultural communication are anthropology, psychology, sociology, cultural studies, linguistics and ethnology. The aim of intercultural communication is to improve the effectiveness of communication with people from other cultures by reducing communication barriers and eliminating the causes of conflict.
3. Immigration, emigration, migration and globalisation are the main causes of intercultural communication.
4. As a result of the analysis of external and internal regulatory acts, the authors concluded that they contain behavioral requirements that affect the principles of equality and non-discrimination.
5. The Professional Qualification Requirements of the SBG inspector, junior officer and senior officer stipulate that the SBG official must be able to communicate in a multicultural environment, observing the principles of intercultural communication.
6. The first impression of a foreigner regarding Latvia and the State Border Guard comes from meeting official of the SBG. In order to create a positive impression, prevent conflicts and ensure effective communication with a foreigner, the official of the SBG must be familiar with peculiarities of different cultures, including verbal and non-verbal means of communication, the peculiarities of certain religions and national traditions, thus preventing threats to public health and for national security.

The authors of the article consider that it would be useful to:

- Organizing training in SBG structural units, it is necessary to emphasize the observance of ethical norms, as well as the principles of non-discrimination and equality in relation to foreigners (representatives of other cultures) performing border control, immigration control, or border surveillance.
- Organizing and leading classes in the separate topics of the subject "Ethics" and the study course "Professional Ethics and Psychology", it is necessary to emphasize the development of practical skills in multicultural communication, offering students to role-play various situations.

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CHALLENGES AND PERSPECTIVES OF E-LEARNING ENVIRONMENT DEVELOPMENT AT STATE BORDER GUARD COLLEGE IN THE ERA OF DIGITALISATION

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Abstract. *The purpose of this article is to explore the challenges and perspectives associated with the development of e-learning environment at the State Border Guard College in the context of increasing digitalization and advance of AI in education contexts. The tasks of the research include identification of key advantages and obstacles faced by educational institutions, including technological limitations and risks, and the need for effective training in digital tools efficient use. Furthermore, the research highlights the potential of e-learning to enhance accessibility, flexibility, and engagement in the academic process. By using scientific research method and examining best practices and innovative strategies, the article provides insights into the successful integration of e-learning systems that are efficient and appropriate to the needs, specific requirements of border guard training as well as current education innovation trends. The findings underscore the importance of a collaborative approach involving stakeholders at all levels to effectively leverage digital technologies for enhanced learning outcomes.*

According to scientific literature research results authors put forward suggestions on further improving border guards e-learning processes.

Keywords: *artificial intelligence, digital competence development, e-learning,*

Introduction

The State Border Guard College (hereinafter – SBGC) is continuously taking proactive steps to efficiently integrate up-to-date digital training solutions, both with investments in digital training infrastructure and in continuous development of teacher digital competence.

Despite the fact that above mentioned investments take place there are many unknowns of possible AI solutions integration in specific border guard training environment with service related peculiarities as specialised training, sensitive and limited access information.

The main task of this research is to identify the opportunities for further improvement border guards e-learning possibilities, hence the authors of this research have used the monographic and scientific document analysis method to gather, analyse and summarize the latest research results on the topic concerned. Authors suggest more emphasis to be put on SBGC trainer's



digital competence development in context of AI as the core task to further develop border guards' e-learning processes.

This research also summarizes analytical judgments based on previously conducted researches, including conclusions based on authors' personal pedagogical experience in border guard e-training. The key research methods include the selection of data, processing, and analysis of the data and interpretation of the data in research context. Main results of research findings are summarized in research conclusions and suggestions, hence defining specific proposals in order to further develop e-learning system at SBGC.

E-learning development challenges at State Border Guard College

SBGC has been using e-learning already since 2008, however it was decentralised from other law enforcement agencies in Latvia. In 2017, the development of a new unified electronic training platform (VEAP) for the Ministry of the Interior (MoI) began. This initiative aimed to address the fragmented use of multiple isolated Moodle e-learning platforms within MoI institutions, such as the SBGC, the State Police College (SPC), and the Fire Safety and Civil Protection College (FSCP). These platforms were not interconnected, leading to a lack of uniformity and increasing administrative burdens. As a result, a unified, efficient, and tailored e-learning platform was required to better serve the educational and technical needs of these institutions. The contractual framework for the project was formalized on December 5, 2022, when the Ministry of the Interior's Information Center signed an agreement with SIA "Datorzinību centrs" for the modernization of the MoI e-learning platform, contract number Nr. 14 1 12/162/22 (Information Centre of MoI, 2022). The platform, VEAP, integrates both the organization and administration of the teaching/study process, along with the management of the e-learning environment. VEAP is designed to serve the MoI's colleges and institutions, enhancing both administrative and technical processes, while also ensuring compliance with contemporary trends in professional education and training. It should be noted that the creation of VEAP is included in the Ministry of the Interior's sectoral strategy for 2023-2027 (Sectoral strategy's priority horizontal objectives - Action direction: Improving systems for professional education, professional development, or further education in line with the latest trends. Key task no. 4: Development of a unified electronic learning platform and education management system for colleges and institutions within the Ministry of the Interior sector. (MoI IC, MoI, State Police, SPC, State Border Guard, SBC, State

Fire and Rescue Service, FSCP, Internal Security Bureau, Office of Citizenship and Migration Affairs, State Provision Agency, MoI Health and Sports Center)) (MoI, 2022).

The primary objective of VEAP is to develop a centralized Moodle-based platform for MoI institutions that promotes uniformity, efficiency, and better administration. The platform is tailored to meet the specific needs of institutions like the State Border Guard, State Police, and the Fire Safety and Civil Protection departments, allowing for improved functionality and easier course management. Furthermore, it will integrate features such as a plagiarism detection tool (CAPS), preparing MoI institutions for seamless e-learning usage by the start of the 2024/2025 academic year. During VEAP development several tasks were accomplished, including:

- Assessment of the current usage of Moodle platforms in MoI institutions, including both technical and administrative aspects.
- Defining and prioritizing the new platform's technical requirements in collaboration with MoI stakeholders.
- Establishing a robust technical infrastructure for both development/testing and production environments.
- Developing the platform's functionality based on client requirements, followed by rigorous testing and debugging.
- Migrating existing courses and materials from isolated platforms to the unified VEAP in both testing and production environments.
- Preparing and finalizing all necessary project documentation, alongside creating user training materials and conducting training sessions to ensure effective platform usage.

During all above-mentioned activities governance structure with steering and working groups was in place to manage, supervise, implement and evaluate efficient steps and risks of VEAP launching (Datorzinibu Centrs, 2023).

Authors conclude that by centralizing and modernizing the e-learning system, VEAP will enhance the overall functionality and educational effectiveness of the MoI institutions. The integration of tools like the CAPS plagiarism detection system, along with an improved Moodle infrastructure, ensures that the platform will support a cohesive and efficient learning environment for both students and administrators across MoI institutions. VEAP's launch, expected by the 2024/2025 academic year, marks a significant milestone in the MoI's strategy for advancing professional education.

E-learning development perspectives State Border Guard College

In order to identify and put forward further e-learning development at SBGC the authors analyse latest EU digital education development legal documents and research findings.

The topicality of e-learning further development endeavours arises for all border guard training institutions since according to Frontex regulation (REGULATION (EU) 2019/1896 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624) where it is stated that fundamental rights, education and training, as well as research and innovation are overarching components in the implementation of European integrated border management.

More specific legal context derives from the AI Act, which is the first-ever legal framework in this field, the integration of AI systems in education is essential to promote high-quality digital education and training as well as to allow learners and teachers to obtain and share the essential digital competences, including media literacy and critical thinking.

The Act on AI notes that rapidly evolving technologies can provide beneficial advantages to undertakings and support, including in education and training, security and justice. In the context of SBGC and other law enforcement authorities particularly important is to note that this Act also indicates possible risks -i.e. depending on specific conditions, specific application, usage, level of technological development, AI might also generate risks and cause harm to public interests and fundamental rights that are protected by Union law, including physical, psychological and societal harm (European Commission, 2024).

Furthermore, those risks arise also in the context of AI possible application for SBGC according to ANNEX III High-risk AI systems referred to in Article 6(2) of the AI act categorisation of AI systems as the ones to:

- be used to determine access or admission or to assign natural persons to educational institutions at all levels;
- to assess learning results, including when those outcomes are used to guide the learning process of students in educational institutions at all levels;
- for the purpose of assessing the appropriate level of education that an individual will obtain or will be able to access, in the context of or within educational institutions at all levels;
- for detecting and monitoring prohibited students' behaviour during testing.

The authors believe that his categorisation of risks is serving as the target area (milestones, trends) of e-learning development for law enforcement training, with more specific elaboration for specific contexts, needs and restrictions. When developing an AI related learning tools it is especially important to keep in mind the core principles defined by The Innovation Centre of the International Criminal Police Organization (INTERPOL) which has defined responsible AI innovation in law enforcement as a process where the AI systems are developed, procured, and used in a way that is lawful, minimizes harm, respects human autonomy, it is fair, and is supported by good governance (The Innovation Centre of the INTERPOL and UNICRI, 2024). According to police practitioners Brandon Epstein, James Emerson the rapid evolution of AI technologies requires ongoing training for law enforcement personnel need to be established to ensure they are well-versed in the operation, limitations, and ethical considerations of AI tools (Epstein B., Emerson J., 2024). The importance of maintaining human oversight and judgment in conjunction with AI technologies must be emphasized. When exploring historical evolution of AI in law enforcement one can conclude that already in 1995 high expectations were set for AI advance. According to Jeffrey S. Hormann virtual reality holds great potential for accurate review and analysis of real-world situations, which would be difficult to accomplish by any other method (Hormann,1995). Virtual reality clearly offers law enforcement benefits in a number of areas, including pursuit driving, firearms training, high-risk incident management, incident re-creation, and crime scene processing. A more recent study by Larry Smith (2022) reveals that with the simulator, officers are able to encounter scenarios that convey differences in body language and non-verbal cues that are imperative in increasing officer's abilities to make rational decisions and progress through a disturbance without using deadly forces against suspects and civilians. The simulation offers a 360 degree with peripheral vision to ensure that the training reflects real-life as much as possible without putting anyone in harm's way (Smith, 2022).

In further analysis of latest scholar research findings, it can be concluded that via analysing data through artificial intelligence (AI) techniques, such as machine learning, computer vision, and natural language processing, can answer instructional and administrative questions, discover new and non-obvious relationships and patterns, predict learning outcomes, and automate low-level decisions (Dieterle et al., 2024.) however there is no research available of more specific or detailed AI application in law enforcement. Research indicates that the future of police and law enforcement lies in the ability to adapt and adjust to new technologies with the continued support of the community. This requires a mutual

understanding that technology promotes objectivity and efficiency that allows the police to do a better job (Butler, 2023).

With regard to determination of particular best practices of AI integration in law enforcement environment currently there are no specific research results available. Most of research articles focus on general benefits.

According to research (Lynch, 2017) AI systems easily adapt to each student's individual learning needs and can target instruction based on their strengths and weaknesses, can "gauge a student's learning style and pre-existing knowledge to deliver customized support and instruction. Lynch (2017) further notes that AI can help grade exams using an answer key and can also "compile data about how students performed and even grade more abstract assessments such as essays. AI can zero in on the specific information or concepts that students are missing, so educators can deliver targeted improvements in materials and methods

Conclusions and suggestions

On the basis of research results the authors conclude that AI will continue advance on law enforcement training efficiency development. Having considered the research results the following key areas and trends have been proposed for further evaluation, implementation and improvement to meet challenges and expectations of digitalisation in law enforcement:

1. Develop personalized learning opportunities – use AI generated interactive training content (photos, videos, script writing, task writing, language processing tools) development possibilities
2. Develop tailored learning experiences based to individual students' learning styles, preferences, and pace, since AI-driven platforms can analyze student performance data to provide customized content and recommendations.
3. Implement AI tutoring systems that can provide real-time feedback and support to students in various subjects, helping them understand difficult concepts and providing additional resources as needed.
4. Use AI to automate administrative (bureaucratic) duties and tasks, e.g. grading, scheduling, or managing student information, thus allowing educators to focus more on teaching.
5. Integrate AI analytics possibilities to identify at-risk students by analyzing engagement and performance data, enabling early warning and intervention strategies to improve retention and success rates.
6. Combine AI with virtual reality to create immersive learning experiences that can simulate real-world scenarios.

7. Utilize AI to gather and analyze student feedback on courses and teacher performance, which can inform continuous improvement processes for educators and program developers.
8. Provide educators with AI training and resources to help them efficiently apply AI tools in their teaching processes, thus ensuring they feel comfortable and competent in using modern technology.

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Problems of observing fundamental rights while performing official duties at the state border

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Abstract. *In the study, the author presented a theoretical definition of fundamental rights, as well as provided an insight into the fundamental rights of the main person. Next, the author has examined the fundamental right in the context of fulfilling the duties of border guard officials and the possible causes of conflict situations, as well as described the solutions to the causes (factors) of these conflict situations. At the end of the research, the author has put forward conclusions, as well as put forward proposals for improving the situation and qualitative observance of fundamental rights while performing official duties.*

Keywords: *fundamental rights, intercultural communication, legal regulation, State Border Guard officials.*

Introduction

Human history shows that it is interwoven with interactions according to the most just attainable human type and conditions. In the center are the questions of what is just, what are natural rights, whether a person is capable of being free and others. The struggle for influence, power and property, characteristic of human evolution, encourages a deeper understanding of the peculiarities of human interaction (Nacionālā enciklopēdija - Pamattiesības, 2024). Fundamental rights are based on the idea that every person is a value and that the model of human governance should be one that aims to protect these values (Satversme, 1922).

Victims of human rights violations at borders find it difficult to seek redress in national courts. For victims, initiating legal proceedings is often not a priority. It is also challenging given their lack of legal knowledge, lack of means to bring a case and concerns about negative repercussions should they initiate a complaint. As most incidents occur in remote areas, often at night, there is usually scarce solid evidence (Guidance on investigating alleged ill-treatment at borders, 30.07.2024.).

In order to achieve the goal of the study, the following research tasks have been defined:

1. To study the literature on the observance of fundamental rights by border guards.
2. To study the external and internal regulatory acts affecting fundamental rights issues during the performance of official duties.
3. Draw conclusions and develop proposals for instilling fundamental rights in border guards while performing official duties.



The following research methods were used within the research: literature research method, analysis method, descriptive method, statistical and data processing method.

Research period - 2023 - August 2024.

Concept and importance of fundamental rights in modern society

Fundamental rights are universal and inalienable rights that are granted to every human being regardless of their nationality, gender, race, religious belief, political affiliation or other characteristics. These rights are recognized and protected in international legal norms and national legal systems of countries. Fundamental rights are an essential basis for human dignity, freedom and equality, and they are necessary to ensure the full development and participation of a person in society.

The main fundamental rights include:

1. Right to life: Right to life is a fundamental human right that protects a person's life against unlawful destruction. These rights are enshrined in many international treaties, such as the UN Universal Declaration of Human Rights.

2. Right to liberty and security: Everyone has the right to liberty and security. This includes protection against unlawful arrest, detention or deportation, and the right to a fair and speedy trial.

3. Right to a fair trial: Everyone has the right to a fair and impartial trial by an independent and impartial tribunal. This includes the right to defence, fairness and equality before the court.

4. Freedom of speech and expression: This right provides individuals with the opportunity to freely express their views, thoughts and opinions, as well as the right to receive and disseminate information without interference from the state or others.

5. Freedom of religion and belief: Everyone has the right to freely choose, practice and change his religion or belief. This right also includes the freedom not to believe in any religion.

6. Inviolability of home and private life: Everyone has the right to privacy, privacy of home and privacy of correspondence. State intervention in these areas is allowed only in special and legally justified cases.

7. Equality before the law: All persons are equal before the law and have the right to equal protection under the law, regardless of gender, race, nationality, religion or other factors.

8. Right to education: Everyone has the right to education that is accessible and of high quality. These rights are essential to ensure personal development and the well-being of society.

9. Right to work and fair working conditions: Everyone has the right to choose a job and receive fair pay and decent working conditions. It also includes the right to rest and holidays.

10. Right to health and well-being: Everyone has the right to health care and living conditions conducive to his physical and mental well-being, including food, housing and clean water (Nacionālā enciklopēdija - Pamattiesības, 2024).

The classic function of fundamental rights is to ensure human rights against the state. It is the subjective right of a person to demand some specific action or inaction from the state, thereby limiting and directing the use of state power. The subject of fundamental rights is both a natural person and a legal entity under private law. Since the 21st century power relations and nature are changing, as non-state structures, such as technology companies, gain power over people due to the development of science and technology, new challenges arise for the understanding and protection of basic human rights (Protecting fundamental rights within the Union, 2016.). The function of fundamental rights can no longer be limited to limiting and directing state power, it occupies a more important place in defining the boundary in private law relations, namely in protection against the actions or inactions of other people. However, it is an open question whether advances in science and technology can reach a point where the understanding of human dignity, freedom, integrity and privacy as values underlying fundamental rights changes in such a way that there is a basis for a different definition of boundaries in human relations, which have significantly affected opportunities provided by technology and science.

Fundamental rights are interrelated and interdependent. Respecting and protecting them is essential to ensure a democratic and just society. States have an obligation to guarantee these rights to all citizens and to provide protection mechanisms in cases where they are violated. Similarly, in all state institutions, including the State Border Guard, officials must observe and respect basic human rights while performing their official duties (Cilvēka pamattiesības, 2024.)

The main reasons for a tense situation and violations of fundamental rights in the world and in Latvia.

The European Union's Fundamental Rights Agency's July 30, 2024 Guidelines on Investigations of Possible Ill-treatment at Borders indicate that there are very few national investigations into incidents resulting in possible ill-treatment of migrants and refugees at borders. This is particularly true of the many credible reports of serious violations of fundamental rights at the

EU's external land and sea borders (Guidance on investigating alleged ill-treatment at borders, 30.07.2024.).

Very few national trials lead to convictions. The report also highlights that there is a sense of impunity among officials in many Member States.

Victims who have not obtained justice in national courts are increasingly seeking redress at the ECtHR. Currently, more than 30 cases related to alleged ill-treatment at the EU's external borders are awaiting a ruling at the ECtHR. Some of the cases the ECtHR has ruled so far point to systemic weaknesses in national investigations. Examples include: insufficient efforts to locate and interview victims and witnesses; obstruct the work of lawyers; lack of access to key evidence, such as border surveillance footage, body cams, GPS locations and internal communications of border guards, border police and police; and, more generally, giving greater weight to the testimony of officials than to that of victims and witnesses (Guidance on investigating alleged ill-treatment at borders, 30.07.2024.).

Global trends in people crossing borders, both legal and illegal, reflect global changes in economics, politics, technology and security. These trends are related to migration, trade, international conflict and human rights situations.

1. Legal border crossing:

a) Globalization and mobility.

Globalization has increased the movement of people between countries, as international trade, tourism and migration for work and education increase. Technological developments such as biometrics and digital visa applications have made border crossings more efficient and safer.

b) Visa facilitation.

Many countries have introduced visa-free regimes or e-visas to promote tourism and business development. This is especially common among the countries of the European Union and other large economies where the free movement of persons is encouraged.

c) Humanitarian migration.

Refugees and asylum seekers fleeing conflict, persecution or natural disasters legally cross borders in search of safety in other countries. International laws and conventions, such as the 1951 Refugee Convention, regulate the rights of such persons.

d) Economic migration

Economic migrants often cross borders legally to find better-paying work or to improve their quality of life. Many countries implement special migration programs that attract skilled workers or investors (Cilvēka pamattiesības (I) – likumdošana un tiesības uz dzīvību, 2020).

2. Illegal border crossing:

a) Human smuggling and human trafficking.

Human smuggling and trafficking is a global problem fueled by organized crime. Migrants, especially from countries with low economic development or regions of conflict, are often exploited and transported across borders illegally. These actions lead to serious human rights violations and security problems.

b) Stricter border control.

Many countries have stepped up border controls using technology such as drones, sensors and biometrics to reduce illegal entry. Because of these measures, migrants often seek more dangerous and difficult routes, which increase the number of tragic accidents.

c) Transit countries and migrant routes.

Migrants and refugees often use transit countries to reach their destination. These countries often lack the resources and infrastructure to adequately accommodate large numbers of migrants, which puts strain on local communities and increases the risk of human rights abuses.

d) Political and economic sanctions.

In some regions, illegal migration is on the rise due to political and economic sanctions that limit population movement and economic opportunities. Migrants are often forced to seek alternative, illegal routes to leave their country.

e) Pandemic impact.

The Covid-19 pandemic has had a significant impact on both legal and illegal border crossings. Many countries temporarily closed their borders, causing a sharp increase in illegal border crossings and creating new security and health problems (Cilvēka pamattiesības (I) – likumdošana un tiesības uz dzīvību, 2020).

Many countries use biometric technologies (for example, fingerprints, facial recognition) to strengthen border control and ensure effective identification of persons, new technologies and systems are being introduced that allow the professional activities of border guards to be performed more strictly, qualitatively and time-saving. It helps in the fight against human trafficking and illegal immigration (Nacionālā enciklopēdija - Pamattiesības, 2024).

International cooperation and training of border guards has become an important factor in improving the efficiency of border control. Many countries cooperate with international organizations to exchange information and experiences that contribute to the monitoring of both legal and illegal border crossings (Protecting fundamental rights within the Union, 2016.). Officials of the State Border Guard actively work and participate in various courses, seminars, projects and working groups of the international training agency Frontex. Knowledge is regularly updated and professional experience gained in connection with the observance of the fundamental

rights of individuals when crossing the state border. Officials of the State Border Guard also actively participate in various international events in the field of fundamental rights offered by other countries and other international agencies. Participation in this type of events continuously increases the professionalism and experience of State Border Guard officials and provides an opportunity to share this acquired international experience with colleagues at their duty stations.

These trends highlight the need for a balanced approach where security is ensured while respecting human rights and promoting international cooperation.

Respect for fundamental rights at the national border is a critical issue, as border guards face many difficult situations in which they have to balance national security with respect for human rights. Taking into account modern trends and also the threat from illegal immigration, the fight against illegal immigration has become one of the most recent topical issues in the performance of duties of State Border Guard officials.

Ineffective legal protection against widespread border violations poses a risk to the rule of law as defined in Article 2 of the Treaty on European Union. When implementing EU legislation on integrated border management and regulating the treatment of persons detained in connection with illegal crossing of the EU's external border, the EU and Member States should pay the utmost attention to ensuring that all justified violations of rights are investigated quickly and effectively. The Schengen Evaluation and Monitoring Mechanism is an important monitoring tool in this regard. Border management authorities not only in Latvia but also in other European countries must take preventive actions. These include basic rights training, clear instructions on zero tolerance for abusive behavior, wearing name or number tags to identify individual officers on patrol, and increased basic rights monitoring of border operations (Guidance on investigating alleged ill-treatment at borders, 2024.).

Some of the fundamental rights issues that may arise while performing official duties at the national border are:

1. Rights of asylum seekers: border guards may encounter asylum seekers. International and national laws provide for the right to seek asylum, and it is important that these persons are not deported to countries where their life or freedom would be threatened (non-refoulement principles) (Protecting fundamental rights within the Union, 2016.). However, border guards may sometimes face pressures or restrictions that prevent them from fully exercising these rights. Border guards often have to deal with situations where persons try to lie about threats in their home country or other factors mentioned in

various international and national regulatory acts in order to grant asylum to a person.

2. Combating human trafficking and human smuggling. Victims of human trafficking are often forced to cross national borders (Cilvēka pamattiesības (II) – ierobežojamas, lai aizsargātu citu cilvēku tiesības, 2020.). Border guards must be able to recognize such cases and ensure the protection of victims and violations of their rights. However, lack of resources and training can make effective action difficult. Officials of the state border guard, while performing their duties at the border, often find cases of illegal border crossing. Combating human trafficking and human smuggling is made more difficult by the fact that the State Border Guard officials, detecting these cases at the scene and communicating with the violators, cannot fully clarify all the necessary circumstances related to the case, cases of human trafficking. are rarely detected also because persons who have illegally crossed the state border are often afraid of the consequences, responsibility and the organizers of human trafficking themselves. Compared to other countries, such as Estonia, where all persons who are escorted across the country's border in one way or another are identified as victims of human trafficking, in Latvia it is mandatory to prove the fact of "exploitation" in order for the case to be considered human trafficking. Consequently, for evidentiary purposes, private individuals are often required to ask private questions, which may result in these questions being discriminatory in some way.

3. Prevention of abuse and violence: In some cases, there have been reports of behavior by border guards that violates human rights, such as excessive use of force or inhumane treatment of detainees. This may include physical abuse, verbal abuse or inadequate conditions in detention centres (Cilvēka pamattiesības (II) – ierobežojamas, lai aizsargātu citu cilvēku tiesības, 2020). Mostly also in several videos and voice recordings of border guards seen in the mass media, where non-normative vocabulary and possible violent treatment of persons crossing the State border can be treated as a violation of fundamental rights, because State Border Guard officials are not really trained and are not competent to act in conditions of increased stress.

4. Right to privacy: When checking people's documents, luggage and other private items, the person's right to privacy must be respected (Cilvēka pamattiesības (II) – ierobežojamas, lai aizsargātu citu cilvēku tiesības, 2020). Border guards must be trained to carry out these checks in accordance with the law without conflicting with a person's right to privacy. In this factor, it could be mentioned that violations are also often observed, because it has already become a routine for border

guards to express some incorrect sentence regarding the private life of individuals without realizing that in today's society, all of this can be recorded.

5. Transparency and fairness of the procedure: It is essential that all measures taken by the border guards, which affect the basic rights of the individual, are transparent, legally justified and fair (Cilvēka pamattiesības, 2024.). This includes the right to a lawyer, information about the reasons for the arrest, as well as the right to a fair and speedy trial. In addition to this and the above-mentioned point, it could be added that a very positive factor is the introduction of the so-called "self-monitoring" and video recorders in the performance of official duties, which provides much more discipline to State Border Guard officials and makes the control of officials more convenient and objective.

6. Discrimination and Prejudice: Border guards may sometimes act in a discriminatory manner, either unconsciously or intentionally, based on a person's nationality, race, religion, or other factors. This can lead to unfair treatment or even violations of fundamental rights (Cilvēka pamattiesības, 2024.). This factor also depends more or less very individually on the inner world of each official, prejudices and the influence of others, which often also serves as a reason for a prejudiced and discriminatory attitude towards the border crosser in the explanations. In the author's view, this kind of problem could be prevented by introducing as many young border guards as possible during training and practice to situations where the border guard should objectively assess any conflict situations between border crossing guards of different nationalities, races and skin colors.

If national border guards violate the fundamental rights protection measures provided for in the Schengen Borders Code or the European Border and Coast Guard Regulation, the Member State is responsible for conducting an investigation based on the rules and procedures established by national legislation. The obligation of Member States to carry out effective investigations in relation to allegations of violations of fundamental rights derives from Article 19 of the Treaty on European Union. It requires Member States to provide legal remedies to ensure effective legal protection in areas covered by EU law (Guidance on investigating alleged ill-treatment at borders, 2024.).

Clear regulations, proper training and continuous monitoring are needed to address these issues. International organizations such as the UN and the European Union often develop guidelines and conduct training to help countries and their border guards better respect human rights.

The overall statistics on violations of fundamental rights committed by border guards or border police officers in the performance of their official duties are quite meager. This is possible, explained by the fact that such cases contain personal data information in accordance with the requirements of the type of personal data regulation, this information is not deleted and reflected in the statistical protection indicators of the entire institution. While training in the international FRONTEX, the officials of its visiting department that with the help of non-governmental organizations, the agency received 4 complaints in 2022 and 3 complaints in 2023 about violations of fundamental rights committed by the State Border Guard official. But it was also pointed out the fact that each case must be evaluated individually and objectively, therefore the fact of the committed violation was not clear and proven.

If the EU finds that Member States do not investigate claims of fundamental rights during border management, it can consider this to be a shortcoming in the implementation of the EU's Schengen rules. For example, under the Schengen Evaluation and Monitoring Mechanism. The Council of the EU recommended that Greece strengthen the fundamental rights component of the governance framework for national border management. It also recommended that Greece carry out a thorough and swift investigation into the reported serious allegations of ill-treatment (Guidance on investigating alleged ill-treatment at borders, 2024).

Conclusions and suggestions

It is not uncommon for State Border Guard officials to carry out actions that many institutions, including non-governmental organizations, treat in the mass media as violations of fundamental rights while performing their official duties. Also, while attending various types and levels of training at the international training agency FRONTEX, the author of the study has encountered and been addressed by the officials of the fundamental rights department of the FRONTEX agency about various situations of violations of fundamental rights, about which complaints have been received from border crossing persons. By comparing complaints that are publicly available, his personal experience, the opinion of non-governmental organizations, as well as the principles of fundamental rights, the author can draw the following conclusions:

1. Situations often arise in the state border guard in which, due to various circumstances, border guards violate or are very close to violating fundamental rights;

2. The above-mentioned situations arise or may arise due to circumstances dependent on or independent of the border guard, which are

often cases when border crossing persons, due to unclear circumstances, become aggressive, or even cross the border with the aim of provoking conflict situations with state officials;

3. When training new border guards and raising the qualifications of existing border guards, it would be useful and necessary to model these conflict situations so that qualified persons (psychologists) could evaluate officials and assess the psychological and emotional stability of officials in solving and responding to conflict situations.

At the end of the research, the author has put forward the following proposals:

1. In order to reduce the possibility of violations of fundamental rights in the course of official duties, it would be useful for State Border Guard officials to create as many simulations of conflict situations as possible, so that both lecturers and specialized specialists (psychologists) could carry out psychological and analysis of emotional stability, as well as to detect in time the officials who are unable to react adequately and professionally in the mentioned conflict situations.
2. The State Border Guard, at the institutional level, should create and develop closer cooperation with the Office of the Ombudsman of Latvia, as well as with non-governmental organizations that operate and receive complaints in cases of violations of fundamental rights, as a result of which it would be easier to identify the problems that have arisen in the institution in the field of violations of fundamental rights and to find a more successful solution to these problems.

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MONUMENTS - GHOSTS FROM THE PAST OR A MATTER OF DISCORD FOR ESTONIAN POLICE AND BORDER GUARD CADETS

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Abstract. *This article first gives a history of and purpose for monuments and memorials. Then, it provides answers through research on what Estonian citizens think about the recent removal of specific objects, emphasizing national security. Many examples are represented from across Finland with the results and feedback of Finnish citizens.*

Empirical research was conducted over a period of three years with anonymous surveys of over 200 border guard officers and students, police officers, and cadets associated with the Estonian Academy of Security Sciences. Direct questions were asked and tabulated. Opinions were also allowed for shade and color of personal thoughts.

The majority agree that the Government has the right and obligation to remove and/or replace monuments that reflect directly on the risks to national security. The sentiment was largely expressed that monuments and statues should be preserved in some non-risk form, when possible, for art and cultural purposes.

Keywords: *cultural opposition, monuments, memorials, national security, removal of monuments.*

Introduction

The purpose of the research was to obtain a broad understanding of citizen attitudes for Government officials tasked with making decisions about removal of monuments. This study, employing empirical research, was conducted over three years to provide definitive opinions on the national security aspects and controversy that envelopes surrounding removal of old statues and monuments. The method used was qualitative research with an open-ended survey. Opened ended questions were asked of Police and Border Guard Officials opinions within their own ranks and what they think the public opinions are. An anonymous questionnaire was used, and the results tabulated.

History and Current Status

Monuments and memorials are a critical cultural practice with a rich history and ongoing significance. From the ancient pyramids of Egypt to the abstract memorials of today, monuments have served as symbols of power, remembrance, and cultural identity. In addition to serving as symbols of remembrance and cultural identity, monuments also have the potential to cause controversy and stir up emotions, ranging from reverence and respect

<https://doi.org/10.17770/bsm.v5i10.8318>

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to hate and revenge, which is their primary objective. The types of monuments created are for various purposes, i.e., military - to honor veterans, exceptional leaders, and victories and to remind citizens of past achievements and threats of future problems; arts and culture - to honor and respect the culture of a country or state to instill loyalty and pride in ones belonging. They commemorate a person or event considered monumental; historical - created primarily as a reminder of past events in a country's history, i.e., The Memorial - Estonia's Victims of Communism 1940 - 1991. "Every monument, statue, and plaque is a history record. It says, "Look here, remember this thing/person" (Cudny & Appelblad, 2019) Inspirational - Two sculptures in Tartu explain this category. The kissing monument inspires young love, and the sculptures of Oscar Wilde and Eduard Vilde provide literary inspiration.

"Monuments fulfill different important functions: artistic, symbolic, commemorative, political, social, religious, marketing, and mixed. Additionally, monuments reflect the contemporary transformation of ideas and social orders and contemporary urban debates. They are products of social relations, powers, ideas, identities, and the collective memory reflected in the urban spatial structure of cities. From a spatial perspective, the role of monuments depends on their different impacts on people's perceptions and interpretations of space" (Cudny & Appelblad, 2019)

From the Artistic point of view, the famous saying, Beauty is in the eye of the beholder is essential. "If you say that something such as beauty or art is in the eye of the beholder, you mean that it is a matter of personal opinion. (Collins English Dictionary). Some would designate a battle tank as offensive, and others would herald it as an aspect of state security. The state must solve the issue of whether it creates animosity or respect among the citizens. Can a monument of a battle tank inspire anarchy and lead to a threat to National Security?

The replacement of the Bronze Soldier created the most significant backlash in Estonia. Questions were formulated in the research to understand Estonian sentiments about this event. The recent replacement of the Narva battle Tank monument with a museum has also created debate amongst the citizenries.

Finland has been systematically removing statues of Lenin. According to historian Jussi Jalonen, the statue debate was related to the effort to shake off the last shreds of Finlandization. "The Lenin statue in Turku is by no means the only statue of Lenin that has disappeared from Finland's street scene. After Russia started the war of aggression against Ukraine, Lenin's monuments became a topic of discussion in several cities. Finland's last Lenin statue was removed from Kotka in October 2022" (Hjelt & Perenimi, 2023).

Petri Laukka, a Finnish Political Historian, writes, "Statues are being torn down in Europe. In Estonia, Latvia, and Lithuania, monuments of the Red Army from the Soviet Union have been vandalized during the summer. The Baltic countries are easy to understand; the statues and stone columns are warrior monuments erected in their honor by the occupying state of 1944-1991. The same occupier attacked Ukraine half a year ago. Destroying statues is not common in democracies. The statue of Tsar Alexander II still adorns the Senate Square in Helsinki from 1894, who granted freedoms to Finns, which Poles wonder about. The tsar bloodily defeated Poland's dreams of independence and made it a Vistula province. The old-fashioned ruler who gave Finland the markka and national school erased Poland from the map. In countries with rare rulers, busts fell as soon as the former ruler could be pushed aside. In Moscow, the statue of Alexander II was torn down as a sign of the change of power in 1918. Vladimir Putin ordered a new one for his second term in 2005" (Laukka, 2022). Laukka also described - "The funniest case happened on the Karelian Isthmus in Vammelsuu in the 1950s. The Soviet Government destroyed the small, inconspicuous Tomb of Love monument. It was a bronze sculpture of a young woman, and a teddy bear placed on a natural stone in the middle of the forest. It was a completely innocent rebellion but represented wrong thinking. Moscow was afraid that the new Soviet citizens who had settled on the Isthmus, taken from Finland, would have started to ask about the background of the monument. Removing the sculpture was safer than leaving it open to question, as this is how power cuts history into pieces."

The last statue of Lenin in Finland was moved. According to journalist Minna Kaipainen, "A statue of Lenin made by the Estonian sculptor Matti Varik stood in a hidden park in the center of Kotka. The first bombs of the Winter War fell on these corners in November 1939, when the Soviet Union launched an attack against Finland without a declaration of war. The Lenin statue was received as a gift in 1979 from Tallinn, Kotka's sister city, which was part of the Soviet Union then. The statue has been the target of vandalism several times and has been vandalized. The statue was moved to a museum by the initiative of both the council and the municipality. The initiatives suggest that the statue was moved to the provincial museum because it offends the memory of people who died as victims of Soviet war crimes." (Kaipainen, 2022).

Qualitative Research Questions and Analysis

The following research was conducted using written responses from students of EASS. The ages and experience represent a cross-section of senior long-term officers to new cadets. The students were asked three questions:

1. Who do you think are the people against the Soviet monuments in Estonia?
2. Who do you think are the people for keeping the monuments?
3. What is your own opinion?

As Police and Border Guard officers are taught and engage in profiling and cultural issues to perform their enforcement functions more efficiently, the questions were worded for them to reflect on the opinions of others. The first section summarizes exact quotes from each of the three categories.

The total number of respondents was 202 with 144 male, 58 female, 28 Russian and 174 Estonian. Of the 58 females, 9 were Russian and 49 were Estonian. Of the 144 male respondents, 125 were Estonian and 19 were Russian.

Answers

The following is a selection of the most common and some of the most interesting and surprising answers.

Symbols:

- P Boy
- G Girl
- R Russian
- E Estonian

1. Who do you think are the people against the Soviet monuments in Estonia?	
BE	Right-wing activists, communities who have suffered during the Soviet time. Artists and architects.
BE	Estonians and integrated Russians.
BE	People who grew up in Estonian speaking environment
GE	People who think the monuments arouse anger among people.
GE	People who see them as praise to the Soviet Union and its power.
GE	People who do not want to remember the occupation and WWII.
GE	Those who don't have anyone to reminisce about them.
BE	Those who feel these monuments are not part of our country are negative.
GE	Many Estonians, especially those who suffered repressions in the Soviet Union. Young people see it as something backward.
GE	Those who are against Russian propaganda and those who suffered repressions in the Soviet Union.
BE	Estonians who feel that the monuments worship totalitarian regimes and remind them of deportations.
GE	Those for who the monuments symbolize communism. Also, it brings the Ukrainian war to mind.
GE	People for whom the monuments are old and unimportant.
GE	People who don't want to be reminded of sad events. Our government after the beginning of the Ukrainian war.

BE	Estonians for whom the monuments symbolize occupation and suffering.
BE	Estonians who cannot stand Russia
GE	Those who remember how dangerous Russia is.
GE	People who see monuments as symbols of the Russian regime. People who it has hurt.
BR	I cannot read people's minds.
BR	For some people, their meaning has changed over time; before, it was good, but now it isn't good.
GR	Those who think the place of the dead is in the cemetery. The Soviet Union killed their relatives.
BE	Many sufferings are related to the Soviet Union and the Red Army.
GE	Used in the propaganda war
BE	Estonian speakers, if we leave them, it leaves the impression that we are grateful for what the Russians did.
BE	Why should we glorify Russian heroes?
BE	We live in Estonia, not in Russia
BE	Those for whom they symbolize suffering
BR	Some Estonians, not all, because it is also a memory for many. Government because of politics.

2. Who do you think are the people for keeping the monuments?

BE	Russian-minded organizations, Russia need a reason to instigate riots - Russians who consider their victory in the war sacred.
BE	Russians who do not feel they are part of our society but want to enjoy our benefits.
BE	People who grew up in a Russian-speaking environment want to remember their past.
GE	Those who consider it an essential part of history and want to reminisce about some people.
GE	People who want to reminisce. Plus, those who want to live under Russian power and Putin.
GE	Those who want to remember the people killed in the war.
GE	Those who want to remember their relatives. Mostly Russian speakers.
GE	Russians and Russian-minded people, art historians, and cultural heritage keepers.
GE	Those Russian speakers who lived here during the Soviet Union.
BE	Russians who feel that it is part of their identity. They think the Soviet Union was a good time.
GE	Russians living in Estonia feel that the monuments justify their activities - monuments used as Russian propaganda.
GE	People who respect their original meaning.
GE	People for whom the monuments symbolize Russia's victory over Estonia.
BE	Russians who do not identify themselves as Estonians; for them, it is a piece of Russia.
BE	Russian-minded people.
GE	People who are grateful to Russia for something. Russian-minded people.
GE	People who bow to Russia and Putin and consider Russia as their homeland.
BR	I cannot read people's minds.

BR	They symbolize that we don't want the war to happen again.
GR	Those who feel that they are part of this history.
BE	Those whose relatives fought in WWII.
BE	Part of their identity.
BE	To remind Russian-minded people what Russia has done to Estonia.
3. What is your own opinion?	
6 boys Estonians	Must be blown up. It would serve them right, considering what they did to Estonians and what they are doing to Ukrainians.
BR	They have historical value. It should be collected in one place.
BE	They must be removed because they remind us of evil. Us tolerating them would be the same as Jews tolerating swastikas. Russians living here must decide whether they belong to the east or west.
BE	Must be in museums to remind us what happened.
BE	Must be removed or destroyed. But if they are dedicated to someone, they may be kept.
BE	Must be kept but rebuilt into something neutral, with no foreign symbols. We need to remember what happened. Soviet monuments should be hidden. We must not forget history.
GE	They should be removed, but democratically, after a discussion.
GE	They should be redesigned, and the Russian language should be removed.
GR	Destruction would create anger. Part of our history and do not make current adverse events. They should be kept.
GE	They should be removed and kept in a museum with a lengthy description of what was done to Estonians by the Soviet Union. Occupant's power should not be worshipped!
GE	They could stay if they didn't cause terrorism.
GE	I don't understand why we need to reminisce about people who were killed but were not of our nationality.
BE	100% should be taken away. They should not be in our country.
GE	Earlier, I thought they could be kept. Now, because of Russian aggressive behavior, I think they should be demolished.
GE	They should be taken away. They are like Russian propaganda and against democracy. I think that people who are trying to keep the monuments are living in the wrong country.
BE	Monuments should be repurposed to reminisce deported Estonians.
GE	Should be removed and replaced by happier monuments.
GE	I am afraid of Russia's response when we remove the monuments.
BE	Monuments should be in a museum. Russians can go and see them there. They really believe that those tanks brought us freedom.
BE	Should be removed. I don't want to see Russia's monuments in my country.
GE	It is better not to have places where Russian-minded people can gather and create havoc.
GE	They should be removed because we live in Estonia and have nothing to do with Russia. They destroyed our lives in the past and are now doing it in Ukraine.
BR	I am a police officer, and I act according to the law. I will never betray Estonia.
BR	I don't care. We should relate them to current events.
GR	They should be gathered in one place so we can keep an eye on the supporters

	of aggression.
BE	They should not be in Estonia, which brought a lot of suffering to my family and other families.
GE	They should not be there because they reminisce about the Red Army and the Russian war in Ukraine.
GE	Removal is proper. They remind me of the Soviet Union and the Ukrainian war.
BE	I don't mind them. Getting rid of them may arouse Russian anger.
BE	They should be rebuilt, and the correct information should be added.
BE	Why should we glorify the country that creates more dead bodies every day?
BE	To be removed, they are propaganda tools.
GE	They should be hidden somewhere and replaced by Estonian monuments.
BE	Those who want them may go to Russia and look at them.
BE	They should be removed. Estonia should show it will never want to be occupied again.
BR	They should be moved fast because people get drunk on the 9 of May, even if they had nothing to do with the war. Also, they may create riots.

Sampling

The following is a sampling of the responses selected to reflect a cross-section of all reactions.

BR	<p>1. Historical value: the past is reflected through Soviet monuments, and their destruction may seem like an attempt to erase or rewrite the past.</p> <p>2. Commemorating the victims: Some monuments are dedicated to the memory of people who died in wars and repressions and tearing them down can seem disrespectful to the memory of those people.</p> <p>3. Cultural Heritage: Many of these monuments are works of art and are important to cultural heritage.</p>
GE	I think people who want red monuments see them as a symbol of the past, for example, representing struggle and victory in history.
GE	I think that people don't want red monuments because they associate them with violence and other violations of human rights. They want to stay away from events that happened in history or not bring them into modern life. Although red monuments have different meanings for people, and maybe I am too young to express an opinion and make good arguments, I still think that there should be no red monuments in Estonia. They symbolize a totalitarian regime that has caused much pain and suffering to many people.
GR	I am aware of why many non-Estonians want the red monuments preserved where they are placed. This is for a certain reason - namely, for them, red monuments are a symbol of peace. The red monument is like a grave or a memorial commemorating those who died or suffered in the Second World War. There are certainly Estonians for whom the red monuments are of historical importance. On the other side are the Estonians, for whom the red monuments remind us of the loss of freedom. Also, red monuments can be offensive to those who suffered under the communist regime. I think they should be removed from the street scene but could be preserved in a museum. I believe that they have their own historical value and that we can learn from

	history. The stories of these monuments must be used so that historical events do not repeat themselves.
BE	Historical aspect: People (mainly of Russian nationality) go there to commemorate their loved ones. Why don't you want the monuments to be preserved? They remind people of the time of occupation, gathering places for pro-Russian people, and Russian aggression in Ukraine. My own opinion - I think that these monuments and symbols should not be displayed in public spaces in Estonia, and all symbols related to the occupation or glorifying Russia should be prohibited.
BE	Probably because many people's ancestors fought in the Red Army in World War II, and Red Monuments are memorials made for fallen Red Army soldiers, people want to keep this memory. Why don't we want red monuments in Estonia? I think that since a lot of the suffering that is related to Estonia or Estonia is related to the Red Army and the Soviets, it is logical that people do not want monuments related to this ugly history to be located in Estonia. I think that there should be no red monuments in Estonia because, as said before, the Red Army and the Soviet power have brought suffering to my ancestors and to other people's ancestors.
GE	This creates conflicts and confusion in society and also in the interpretation of history. They seem to show that the occupation of Estonian territories by Russia was the right thing to do, but in fact, it is not. For pro-Russian people, these are important monuments, reminding them of the Soviet Union. Many pro-Russians still prefer to belong to so-called Russia. My personal opinion? I think they should be removed, especially since Russia is currently at war with Ukraine. They want to occupy the territories of Ukraine in the same way as they once occupied our country - this is not right. Also, red monuments are bad for me; why commemorate those who came to take over our country by force? In my opinion, occupation is in no way justified.
GE	Some people want the red monuments to be where they are because it helps them to remember and commemorate important people who have fought in some historical event, for example. They want the monuments to remain, as they are usually installed near or in honor of the place where the events took place. On the other hand, people don't want the red monuments to be where they are because they can symbolize humiliation for the local people, etc., so they want them not to be from the places where they are. So, local people don't like the glorification of events whose commemoration might bring up hurtful memories. I think that changing the locations of the red monuments is okay if it does not harm anyone's interests. People who are interested in commemorating an event could still do so. Everyone's interests must be considered, but the love of Estonia and the sense of security in the homeland are still more important.
BR	Historical Significance: Red monuments often mark important events or figures in history, be it revolutions, wars, or important political leaders. For some people, these monuments help to preserve and pass on historical heritage and recall important moments from the past. Tribute: Red monuments can be a way to honor and remember those who have fought or sacrificed their lives for certain principles, ideas, or values. Usually, they can be memorials to fallen soldiers or cultural leaders. Historical interpretation: Some people may find red monuments distasteful or offensive because they may represent past

	<p>events or ideologies that conflict with their own beliefs. For example, people may feel an aversion to monuments that honor well-known figures of an authoritarian regime. Contextual issues: Red monuments may be erected in a certain historical context, which may change over time. Symbolic Meaning: Some people may feel that red monuments symbolize past events or ideologies associated with violence, oppression, or discrimination. Such monuments can create negative emotions and opposition to their preservation.</p>
Yemeni girl	<p>Why do some people want to get rid of Soviet-era monuments? For some people, Soviet-era monuments represent a political symbol. That is, for them, they represent the kind of totalitarian regime that involved human rights abuses, violence, censorship, repression, authoritarian rule, and all kinds of deportations by the Reds. For some, the monuments may remind them of the historical tragedy that accompanied the era when Russia ruled the Republic of Estonia. For some, it is a question of identity, and they want to get rid of them in order to shape their country's identity and historical narrative. My opinion. To me, Soviet-era monuments are important to some extent because they remind me of what Estonia was like in the past and what Estonia is like now. These are signs that even if we were once under the Soviet Union, it did not stop us from winning our freedom. This shows that we achieved our great goal, which was the Republic of Estonia, but at the same time, we lost human lives, and these memorials can be used to remember and pay respect to them. At the same time, it is a question of identity, and the past is part of our identity. It doesn't matter how bad it might have been, and it turned Soviet Estonia into the current Republic of Estonia. For me, Soviet-era monuments are not at all a mark of shame, on the contrary.</p>
BR	<p>I cannot give an exact answer to the question of why some are in favor of demolishing red monuments and others are against demolishing them. I don't know what thoughts people have in their souls, hearts, and heads. I also don't want to fantasize or invent anything. A good police officer must act according to facts, orders, and laws. Personally, I do what the state tells me. I swore loyalty to the Republic of Estonia and will never betray the fatherland. Why do they want red monuments? Red monuments are rather wanted by persons of Russian nationality to commemorate the old regime. Rather, it is about pro-Russian persons. Why don't we want red monuments? You don't want red monuments because people who are against the Russian regime and feel disgusted by what happened in history don't want red monuments in the Republic of Estonia because we live in Estonia, not Russia. My opinion: I think that there should not be any red monument in Estonia that would justify and commemorate a regime or war that existed in history. If people miss these monuments, they can go to Russia and see them there.</p>
GE	<p>Why do they want to preserve the red monuments? - Red monuments are part of history and memory. People mourn their dead. This is an important place for parts of society. Why do some people not want to? Reminds Estonians of the invasion of the Soviet Union and the destruction of the Republic of Estonia. My opinion - I think that if they didn't have such a big impact on terrorism, they could stay put or be in a museum somewhere.</p>
BE	<p>Why some want to get rid of them: Because they assume that they are a redundant memory of what was and is not good for the present time. Because it is already past and, to some extent, inciting anger. Why do some want them</p>

	to stay? Because they like the messages conveyed by these monuments or simply want to preserve history, there are also those who support that era and respect these monuments. My opinion: My opinion is that everything should be removed as soon as possible because now we are Free Estonia, and these monuments should have no place here. They are part of our history but not something that we should directly remember.
GE	Why do people want to get rid of red monuments? According to some people, red monuments in public spaces incite the negative pressure of the Soviet era and can psychologically traumatize those who have previously experienced the way of life of the era. Why don't some want to? According to the opinion of the other party, monuments are an important part of the country's culture and history. Monuments are often dedicated to persons who died in battle or in another dignified way, which is why it is considered important to remember and honor them. My opinion. In my humble opinion, formed with little background research, it would be a better idea to remove red monuments from urban spaces or redesign them. I think it would be a good idea to place the monuments in museums to satisfy the masses who don't want the memorial stones destroyed. At the same time, those who do not want to see red monuments in broad daylight in parks or other public spaces could agree with the idea. In my eyes, as a representative of Generation Z, the memorial stones remind more of pride in communism than commemoration and moving forward from the so-called dark times. At least the writing on the monuments should not be in Russian - such a change is easy to make. However, I do not want to say that honoring the hero in the form of monuments is not pointless. Still, I think that monuments do not represent Estonian society correctly.

Summary and Conclusion

Qualitative research is not an 'absolute' method but must be used when public discourse and information need to be heard, discussed and debated. The author kept an open mind as much as possible to allow an entire discourse to take place. The article contains a cross-section of all answers to enable the reader to draw their conclusions.

To summarize, the article emphasizes the relevance of considering the historical worth, cultural legacy, and cultural importance of monuments in Estonia.

Certain individuals advocate for the preservation of monuments as they serve as a means of remembrance and commemoration for significant individuals who participated in historical events. These monuments are believed to safeguard and transmit historical legacy, commemorate significant events from the past, and pay tribute to individuals who have bravely battled or made sacrifices for specific ideals, ideas, or values. Nevertheless, certain individuals may perceive monuments as objectionable or provocative, as they may symbolize historical occurrences or ideologies that contradict their personal convictions. Contextual difficulties may also emerge, as the historical conditions surrounding the construction of

monuments may clash with contemporary ideals or perspectives. Symbolic significance may also be a consideration, as certain individuals may perceive monuments as representing historical occurrences or ideologies linked to aggression, subjugation, or prejudice.

There is a desire among certain individuals to remove Soviet-era monuments because of their association with a totalitarian period characterized by human rights violations, violence, censorship, repression, authoritarian governance, and mass deportations carried out by the Communist authorities. Some argue that these monuments no longer embody the principles of their community and that political perspectives evolve with time. Monuments play a crucial role in honoring and commemorating historical events, as they are integral to Estonia's identity and its connection to the past. Overwhelmingly the Estonian respondents look at those who want to keep the monuments as the 'others', and the Russian respondents support keeping the monuments as a humanistic approach.

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TECHNICAL SURVEILLANCE SYSTEM OF THE EXTERNAL LAND BORDER, ITS DEVELOPMENT PERSPECTIVES

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Abstract: *The main task of the State Border Guard is to ensure the inviolability of the state border, including the prevention of illegal crossing of the state border. Modern technical means and innovative technologies for monitoring and controlling the state border and the border strip play an important role in the successful and efficient performance of the mentioned task. The purpose of the study: to evaluate innovative area surveillance and movement detection systems, their integration possibilities in a single platform, the possibilities of creating technically and technologically developed infrastructure and compatibility with technical means, the possibilities of information visualization and processing in the context of the implementation of border surveillance measures. The study aims to analyze the current state of the technical monitoring system of Latvia's external land border, to study its development directions, and to identify future perspectives, considering both national and international security threats. This work will examine both technological and organizational aspects related to border surveillance, as well as possible improvements and innovations that could increase the system's efficiency in the future.*

Keywords: *border, data, monitoring, technical means.*

Introduction

The technical monitoring system of the external land border of the Republic of Latvia is one of the most important components of ensuring national security and sovereignty. It plays a critical role not only in protecting the border and preventing illegal migration but also in the fight against international crime and terrorism. This system is essential not only in the context of national security but also in the context of the European Union because Latvia's external border is also the external border of the European Union.

Latvia's geographical position, being on the border between the EU and third countries, requires the use of modern and effective monitoring technologies to ensure safe and transparent border management. Considering today's challenges, such as the rapid development of technology, the increase in migration flows, and hybrid threats, the improvement of the



technical monitoring system of Latvia's external land border is a continuous and important process.

The State Border Guard is one of the most important elements of Latvia's national security, which ensures the inviolability of the state border and the prevention of illegal border crossing. In this context, the role of the technical monitoring system of Latvia's external land border is becoming more and more important, as it ensures not only border surveillance but also a quick and accurate response to various threats.

The State Border Guard has extensive and complex tasks in the field of border monitoring, which significantly contribute to the provision of national security. Among the main tasks are controlling the state border, preventing illegal border crossing, fighting against smuggling, and responding to terrorist threats and other threats. To effectively perform these tasks, the State Border Guard uses various technical monitoring systems that allow continuous monitoring of the state border and the territory adjacent to it, as well as quick response to any threats.

The tense geopolitical situation in the Eastern European region poses serious threats to Latvia, especially in the areas of border security, illegal migration, hybrid attacks, and organized crime. The biggest risks are the aggressive behavior of Russia and its allied countries at the regional and international level, including the war against Ukraine, as well as cyber-attacks and disinformation campaigns directed against European Union and NATO members (VRK, 2024).

One of the most significant threats to Latvia is the hybrid attacks carried out by the authorities of Belarus on the external border of its neighboring countries (members of the European Union), which manifests itself as the diversion of illegal migration flows to the external borders of the European Union member states, the organization, and coordination of illegal border crossings. As a result of the mentioned actions, the State Border Guard is faced with continuous increased pressure of illegal migration on the border between Latvia and Belarus.

The complexity of the existing situation is characterized by the statistics compiled by the State Border Guard on the results of the State Border Guard's activities in the field of preventing illegal crossing of the state border (Authors compiled statistics 2021-2024):

- In 2021, 4,045 people have been prevented from illegally crossing the state border;
- In 2022, 5,286 people were prevented from illegally crossing the state border;

- In 2023, 13,863 people were prevented from illegally crossing the state border;
- In 2024 (January - August), 4,210 people were prevented from illegally crossing the state border.

Taking into account the fact that the length of the border between Latvia and Belarus is less than 173 kilometers, the mentioned statistics show that the pressure of illegal migration remains consistently high, which requires attracting additional resources to overcome the pressure of illegal migration.

In 2024, the construction of the fence on the border between Latvia and Belarus was completed, and the construction of the necessary infrastructure - patrol paths, footbridges, and other solutions necessary for the protection of the border - is currently underway along the entire 173-kilometer length of the country's border.



Fig.1 Fence and infrastructure elements (border guard unpublished image, 2023)

However, it should be taken into account that the built fence and other infrastructure elements by themselves cannot ensure complete prevention of illegal crossing of the state border. In itself, the fence serves as an obstacle that delays and makes it difficult for a person to move across the state border. Therefore, the fence needs to be supplemented with a technical monitoring system that will ensure the identification of illegal crossers of the state border already in the territory of the neighboring country, the recording of the exact location of the attempt to cross the state border illegally in real-time and the immediate transfer of information to the relevant structural unit of the State Border Guard, for quick and effective measures to prevent the illegal crossing of the state border to stop and prevent the attempt.

The basic regulatory act that determines the state border and the border guard system, as well as ensures the inviolability of the state border, is the State Border Law of the Republic of Latvia. Article 29 of this law

Stipulates that the State Border Guard uses technical means necessary for border inspection and border surveillance to ensure its functions. On the other hand, the regulations of the Cabinet of Ministers of July 27, 2010 No. 675 "Rules on the technical means necessary for border inspection and border surveillance" (LR Valsts robežas likums, 2009) defines the technical means necessary for border inspection and border surveillance, their types and purposes of use, as well as determines the requirements for technical means that are necessary for effective border inspection and border surveillance in the Republic of Latvia. These means include a variety of equipment used for person and vehicle checks, document authenticity checks, and border and territory surveillance. The rules describe in detail the functions and areas of application of the means, ensuring a high level of security and quick response to possible border violations. The planning of the amount and placement of technical means in the structural units of the State Border Guard, which is determined by the head of the State Border Guard, is also emphasized to optimize the distribution of resources and improve operational efficiency. The use of these assets is essential for maintaining national security and effective border management (LR Valsts robežas likums, 2009). Technical surveillance of Latvia's external land border includes the use of various technologies to ensure surveillance of the state border and adjacent territories, access control, and prevention of illegal activities. The system combines several components, forming a single and efficient monitoring network:

Video surveillance systems:

Video surveillance systems and presence detection systems are used to monitor national borders, prevent illegal border crossing, and maintain security. However, since these systems process and store sensitive data, their management requires a carefully designed legal framework. The State Border Guard has developed security regulations that define exactly how these systems should be used, what criteria they should meet, and how data security is ensured.

Internal regulations of the State Border Guard of January 6, 2022 No. 23.1-8.2/1 "Safety regulations for video surveillance systems and presence detection systems of the State Border Guard" regarding the use of video surveillance systems and presence detection systems. The regulations outline in detail the competence, rights, and obligations of State Border Guard officials and employees when using video surveillance systems and presence detection systems, performing system management, monitoring, and security. For example, the manager of information resources is obliged

to organize data processing by the functions of the State Border Guard, as well as to develop and maintain procedures for creating backup copies. The technical resource manager, on the other hand, is responsible for planning system development and organizing security checks. This detailed division of responsibilities ensures that systems are maintained at the highest level of security and that every aspect of the system is carefully managed. Data from video surveillance and presence detection systems must be protected with high-level security measures, such as encryption, to prevent unauthorized access. Encryption methods are regularly reviewed to ensure they meet the latest security standards. In addition, access to this data may only be granted to authorized users, and the grant, change, and cancellation of these access rights are carefully regulated. This reduces the risk of data falling into the wrong hands and ensures that only competent professionals can manage this critical data (Valsts robežsardzes videonovērošanas sistēmu un klātbūtnes noteikšanas sistēmu drošības noteikumi, 2010).

Therefore, it can be concluded that these rules cover all relevant aspects, from data encryption and backup to technical troubleshooting and access rights management. By following these rules, the State Border Guard can effectively fulfill its tasks, ensuring the security of the state borders and responding to possible threats with the highest accuracy and speed.



Fig.2. Video surveillance systems (Border Guard unpublished image, 2020)

Presence detection systems: These technical means register movement, vibration, sound, and other factors that may indicate illegal activities. They are deployed in strategic locations to quickly detect border violations.

Presence monitoring systems ensure object fixation and fast information transmission, which allows the identification of the fixed object.



Fig.3 Presence detection systems (Border Guard unpublished image, 2022)

Communication systems and navigation devices: Ensures immediate exchange of information between border guards, enabling rapid response to events and effective coordination of operations.

Portable and stationary radio stations are used for information exchange.



Fig.4 Communication systems and navigation devices (Border Guard unpublished image, 2022)

In cooperation with the Latvian National Armed Forces, the State Border Guard is introducing the ATAK system, which will allow real-time monitoring of the location of both personnel and individual border guards, planning and adjusting routes, taking into account current conditions and the operational situation, marking important objects or places of interest on the map, making immediate exchange of messages between structural units of the State Border Guard, assignments of border guards and individual officials using voice and video communication, as well as text messages and image sharing.

Unmanned aerial vehicles: Provide control and surveillance of national borders, border strips, and border regime, and are used for search, pursuit, and coordination of apprehension of border violators.

Rotor-type and fixed-wing type b unmanned aircraft are used.



Fig.5. Unmanned aerial vehicles (Border Guard unpublished image, 2024)

Information processing and visualization systems: Processes and visualizes collected information, ensuring quick and accurate decisions, as well as efficient distribution of resources in the appropriate places.

To ensure the creation of a high-quality and accurate picture of the national situation with its further integration into EUROSUR, in compliance with Regulation (EU) 2019/1896 of the European Parliament and the Council (November 13, 2019) on the European Border and Coast Guard and which repeals Regulation (EU) No. 1052/2013 and (EU) 2016/1624 requirements regarding the creation and maintenance of the picture of the national situation within the framework of EUROSUR, the State Border Guard continues to work on the creation of the Border Monitoring and Control System (Vikainis & Pokule, 2020).

The border monitoring and control system is designed as open-source software, which consists of several modules and, if necessary, allows for the improvement of the added modules or the addition of new modules.

The border monitoring and control system includes and visualizes information about events related to the control of the country's external border and the situation inside the country. For the transparency and systematization of information, several groups of information are used in the Border Monitoring and Control System, by EUROSUR information systematization standard (Vikainis & Pokule, 2020).

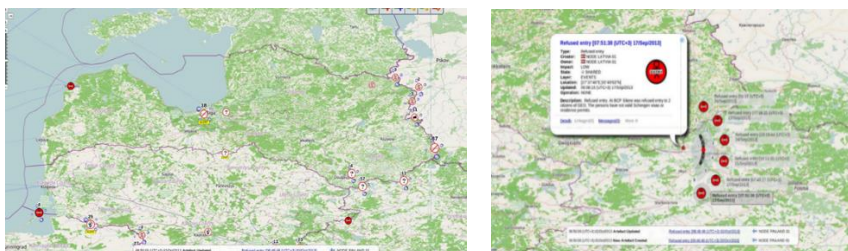


Fig.6. Visualization of information in the Border Monitoring and Control System (Border Guard unpublished image, 2024)

Lithuanian practice: Cooperation with Lithuania is an essential element in ensuring the security and stability of the Baltic region and the EU. As one of the EU and NATO member states, Lithuania plays a strategic role in regional security issues, especially due to its geopolitical location bordering Russia and Belarus. Cooperation with Lithuania covers a wide spectrum, from border protection and security issues to economic and political cooperation, making this partnership an important aspect both in bilateral relations and in the wider European and international context. Ever-increasing security requirements and common challenges create the need for even closer cooperation based on mutual trust and common goals.

The introduction of the Lithuanian border surveillance system and its alignment with EU standards has been carefully planned and executed, and this process provides important lessons for both the country's internal security and the common understanding of the European border protection system. Lithuania's accession to the EU required the adjustment of state border control by EU standards. It was a complex process, which included the demarcation of the country's border with Russia, the creation of the necessary infrastructure, and the equipping of the State Border Guard Service (SBGS) with modern technologies. The purpose of these measures was to ensure Lithuania's readiness to become part of the Schengen area, which requires the highest possible level of security at the external borders (Lietuvas Republikas valdības apstiprinātie plāni Valsts robežas aizsardzības attīstības programmas īstenošanai, 2002).

Although Lithuania did not need to extensively align its legislation with EU requirements for border surveillance, some significant amendments were made. Mainly, the law on the state border and its protection were updated, including new terms and adjusting the organizational structure of the SBGS. These amendments were necessary to ensure that the Lithuanian border surveillance system is both effective and compatible with EU requirements. Harmonizing legislation and improving the organizational structure was a critical step to guarantee safe and effective border control.

The Schengen Borders Code (Union Code on the rules governing the movement of persons across borders (Šengenas Robežu kodekss, 2016), the main document in border surveillance, states that border surveillance should be oriented towards the prevention of illegal border crossings using stationary and mobile units supported by risk analysis. Lithuania's approach to this issue is aimed at nearly 100% situational awareness, which is achieved through a combination of human resources, physical barriers, and

modern technology. The border is divided into different risk sectors and the monitoring frequency is adjusted according to the identified threats.



Fig.7. Infrastructure and technical equipment of the Republic of Lithuania (Unpublished images of the Lithuanian Border Guard, 2022)

Despite the achievements, Lithuanian border surveillance faces several challenges, including difficult terrain and visibility problems at certain sections of the border. These challenges require continuous adaptation of systems and strategies to ensure maximum security.

As security requirements in the European Union continue to grow, Lithuania's experience in creating and maintaining border surveillance systems is becoming an important example for other countries. Constant technological development and cooperation with EU partners will help ensure that Lithuania retains its position as one of Europe's most secure external borders.

Therefore, it can be concluded that Lithuania's successful integration into the EU and its achievements in border surveillance is a story of determination and adaptation to growing security requirements. This experience not only strengthened Lithuania's security but also made a valuable contribution to the common security architecture of the European Union. In the future, Lithuania will continue to be an important player in the EU border protection system thanks to its innovations and effective security strategies.

In conclusion, it can be concluded that the technical monitoring system of Latvia's external land border is an essential element of national security, which requires continuous development and improvement, taking into account changing security threats and technological development. Effective and sustainable border management requires a focus on several critical areas. First, technological innovation should be considered a cornerstone, as modern surveillance technologies such as drones, thermal cameras, and

sensors are capable of significantly increasing the efficiency and speed of border surveillance. Secondly, the modernization of the infrastructure, including the improvement of physical barriers and the development of communication networks, will ensure the operational and safe operation of the border guard. Third, personnel training and capacity building are essential for border guards to be able to effectively use new technologies and respond to today's challenges.

International cooperation with EU member states and Frontex is another important dimension that allows the sharing of experience and ensures coordinated action at the EU level.

Finally, the provision of financial and political support is critical to achieving all the above areas of development. Without adequate funding and strategic vision, these initiatives will not be fully implemented. Thus, only with an integrated and long-term approach is it possible to achieve a safe and well-protected border of Latvia, which in turn will strengthen the sovereignty and stability of both the country and the European Union.

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TEACHING FUTURE PROFESSIONALS TO OVERCOME NERVOUSNESS DURING PUBLIC SPEAKING

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Abstract. *The article touches upon the results of the study of the methods of teaching the future professionals to overcome public speaking fear. The reasons of public speaking fear have been analysed.*

The concrete steps of overcoming the fear of public speaking on the grounds of the principles and rules of successful individual's activity of speaking on a subject to a group of people have been analysed taking into consideration the aspects of the special organised training aimed at the intellectual and psychological readiness for public speaking of the future professionals

The psychological peculiarities of the usage of the author's programme on psychological readiness for public speaking (programme) based on the problem-learning training in the conditions of the higher educational establishment, which directly influences the level of the professional communicative competence of the future professionals, have been presented. The programme has been worked out taking into our consideration the aspects of public speaking overcoming fear is a common form of anxiety.

The results of the empirical investigation of the author's programme on forming and developing psychological readiness of the future professionals have been revealed.

The practical recommendations on the forming process of the professional psychological readiness as the component of professional competence of the future professionals for public speaking have been suggested.

Keywords: *future professionals, overcoming nervousness, psychological readiness, public speaking, teaching methods, training programme.*

INTRODUCTION

Topicality of research. The process of Ukraine's gradual integration into the European and international organisations determines the high-quality communication training for future professionals, including their abilities to speak at public up-to-the level.

Nowadays it is of vital importance to study the peculiarities of the special-organised training of future officers who have to be well-trained, with a deep knowledge of languages, and it requires a qualitatively new level of teaching both basic and specialised disciplines, and ensuring intellectual and psychological readiness for public speaking.

The study of the peculiarities of the formation and development of psychological readiness for public speaking, the search for resources for the formation and development of officers' communication skills and habits are

<https://doi.org/10.17770/bsm.v5i10.8309>

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important in view of the need to ensure their successful and effective communication in the performance of professional duties, including their public speaking. The psychological features of the formation and development of psychological readiness for public speaking require a special in-depth study, because the appropriate level of development of public speaking abilities and the proper level of psychological readiness ensure the formation of cadets' professional communicative competence - the abilities to communicate in public fluently while performing the official tasks including in the conditions of the increased psychological stresses as well.

The role of the teacher in the process of the very formation and development of psychological readiness for public speaking is important as for the creation of the favourable conditions for the development of communicative skills and habits of the future professionals.

At the present time there is a discrepancy between: 1) the urgent need of the Ukrainian society for professionally competent military and the real level of development of their communication skills and habits, including the abilities to overcome nervousness during public speaking; 2) the general social significance of the problem and 3) its insufficient development in psychological science. All these factors have determined the choice of the research topic 'Teaching Future Professionals to Overcome Nervousness during Public Speaking'.

That is why **the purpose of the article** is to work out the programme on forming and developing psychological readiness of the future professionals for overcoming nervousness during public speaking and verified its effectiveness empirically.

The study concept is the following: the formation and development of psychological readiness of the future professionals for overcoming nervousness during public speaking becomes effective when it is carried out systematically at all the stages of the cadets' professionalisation in the conditions of higher educational establishment on the basis of the usage of the author's programme. The programme is based on the psychological regularities of training psychological mechanisms, socio-psychological determinants of group influence on the learning quality by an individual and aspects of socio-psychological support for the study group management.

In the study we have taken into our consideration the fact that the problem-solving programme components, the main function of which are to maximise the development of cadets' mental, intellectual and creative abilities (Chepeleva, 2009), are interconnected.

The psychological and pedagogical prerequisites for the use of situationality in the programme ensure the effective process of developing cadets' abilities to overcome nervousness before public speaking and give them the opportunity to analyse the main directions in defining the concept

of a particular speech situation and present a system of logically consistent problem situations (tasks).

It is necessary to take into account the conceptual grounds of psychological support of teachers' pedagogical activities, which involves the usage of the programme.

Research period and the methods. The study was carried out at Bohdan Khmelnytskyi National Academy of the State Border guard Service of Ukraine in the period of September 2022 up to June 2024 in the real conditions of the military higher educational establishment on the basis of the general scientific methods of theoretical level and methods of the empirical research.

Particularly the sociometric method has allowed us to determine the psychological features and indicators of the cadets' psychological readiness while forming their level of professional competence.

Research hypothesis. The abilities to regulate emotional state and overcome nervousness during public speaking is guaranteed by the usage of the programme. In accordance with the study purpose and research hypothesis, the objectives of the investigation are the following:

1. To analyse the meanings of the terms "glossophobia" or "fear of public speaking"; "public speaking nervousness"

2. To study the causes of public speaking fear and determine the mechanisms of overcoming nervousness during public speaking.

3. To develop and verify the special programme on forming and developing the cadets' psychological readiness for overcoming nervousness during public speaking taking into consideration the features and indicators of psychological readiness while forming their necessary level of professional competence.

4. To develop the practical recommendations on the usage of the programme in the conditions of the higher military educational establishment.

INVESTIGATION RESULTS

INTRODUCTION. Public speaking as a complex activity is the subject of research by the representatives of many sciences: philosophy, history, psychology, pedagogy, sociology of linguistics and others. As a certain work of art, it affects both the intellect and the feelings of a person. Undoubtedly, everyone who prepares for a public speech (a politician, an organisation leader, an officer, a student or a cadet before taking the floor) asks himself or herself the question: "How can I overcome the fear of public speaking?"

Scientific sources analysis. The results of the scientific sources analysis testify about the fact that a number of scientists dedicated their studies to various aspects of the theoretical grounds of the speech

development in general, and the criteria for overcoming nervousness during public speaking in particular. Some key points of the analysis are revealed below.

What causes public speaking fear?

People who fear public speaking may have a real fear of being embarrassed or rejected. Glossophobia or fear of public speaking may relate to one's prior experiences. The person who has a bad experience during public speaking may fear a repeat of that prior experience when attempting to speak again (Black, 2018, 2019).

In order to understand the nature of the causes of public speaking fear we have pay our attention to the aspects of so-called struggle with public-speaking anxiety. Particularly, when the people get up to speak they try to anearly initially avoid making eye contact with members of the audience and it actually makes the speakers even more nervous while avoiding direct eye contact with the audience speaking anxiety appears (Sarah Gershman, 2019).

Sarah Gershman investigates the reasons of public speaking fear in the historical paradigm going way back to the prehistoric times, when humans perceived eyes watching people as an existential threat. Those eyes were likely predators. People were literally terrified of being eaten alive. In response to that prehistoric reality, the amygdala of the brain that affects how people feel emotions, especially fear and pleasure, kicked into full gear, helps people respond to danger. Public-speaking anxiety is in our DNA that carries genetic information. The people experience public speaking as an attack and physiologically register an audience as a threatening predator and mount a comparable response (Sarah Gershman, 2019).

According to the Cambridge Dictionary the term “amygdala” means one of two parts of the brain that affect how people feel emotions, especially fear and pleasure (McIntosh, 2024). Amygdala is part of limbic system, which is the center of emotions, behavior, and memory. It is also a contributor to the control of reactions to stress, attention, sexual instincts (Abuhasan et al., 2023) and threat processing (Moses, 2024). The amygdala is commonly thought to form the core of a neural system for processing fearful and threatening stimuli (Baxter & Croxson, 2012) and it is part of our brain that helps us respond to danger. Nervousness or anxiety in certain situations is normal, and public speaking is no exception (Sawchuk, 2017).

Psychological readiness and public speaking fear

Psychological readiness is about being in the right frame of mind to undertake a new activity, in our case, while taking the floor.

Psychological readiness covers both the mental and emotional factors of the individual, involving a combination of mental strength, emotional stability, confidence and adaptability (Sawchuk, 2017).

Psychological readiness is considered in the context of professional knowledge, developed skills and habits and personality traits: attitudes, beliefs, skills, interests, professional memory, thinking, attention, professional orientation of thought, performance, emotional and moral potential (Uhryn, 2020). It is the result of the proper professional training on overcoming nervousness. It serves as a regulator of success of professional activities.

Gallego, A., McHugh, L., Villatte, M., & Lappalainen, R. (2020) have proved that self-reported public speaking anxiety correlates significantly with a number of aspects of psychological flexibility (i.e. openness to experiences, self-perspective skills, and cognitive fusion).

Sawchuk (2017) points out that fear of public speaking is a common form of anxiety and an individual can overcome his/her fear with proper preparation and persistence.

In this regard, let us briefly characterise the psychological and pedagogical prerequisites for the use of situationality based on the skills-based approach in the process of developing cadets' abilities to overcome nervousness before public speaking while using the programme.

Padraic Gibson (2022), characterising the types of speakers, uses Mark Twain's quotation "There are two kinds of speakers in the world. Those who are nervous, and those who are liars." In his study he proves that glossophobia, or speech anxiety, is one of the most common fears. He finds fear to be the anticipation of pain; differentiates real fear and imagined fear, paying our attention to the fact that feeling nervous and anxious before public speaking is totally normal.

EMPIRICAL STUDY

To verify the validity of our findings and effectiveness of the programme for the formation and development of psychological readiness, we conducted an experimental study of the level of psychological readiness of future professionals to overcome nervousness before public speaking.

As a criterion, we have chosen the number of pauses during a five-minute speech by a cadet in front of the study group.

According to the study results and the results of our observations, for this age group (the study group members from 18 to 21 years old), the average number of the pauses during such type of public speech is approximately 2-3 ones per person.

Having analysed this category, we have defined the following levels of psychological readiness: 1) level A - the high level (no more than 2 short-term pauses in the cadet's speech); 2) level B - the sufficient level (3-4 short-term pauses, the total time of the pauses is not more than one minute); 3) level C - the medium level (3-4 short-term pauses, the pauses are long, the total time of pauses is not more than two minutes); 4) level D - the below

medium level (pauses are long and short, the combination of long and short pauses are typical; the total duration of pauses - up to three minutes); 5) level E – the law level (in this case the person is keeping silence most of the time).

This methodology has been used for studying the psychological readiness of the cadets in four training groups with a total number of 112 people. The results of the first study phase analysis are presented in Table 1.

Table 1 Results of comparative analysis of the cadets' psychological readiness for public speaking at the beginning of the study
(Source: compiled by the author)

Groups	Levels of psychological readiness										Total
	A		B		C		D		E		
	Number	%	Number	%	Number	%	Number	%	Number	%	
Group 1	1	3,13	5	15,63	18	56,25	5	15,63	3	9,38	32
Group 2	2	6,90	4	13,79	20	68,97	2	6,90	1	3,45	29
Group 3	2	8,00	3	12,00	16	64,00	3	12,00	1	4,00	25
Group 4	0	0,00	3	11,54	20	76,92	2	7,69	1	3,85	26
Total	5	4,46	15	13,39	74	66,07	12	10,71	6	5,36	112

The psycho-pedagogical conditions for the formation and development the cadets' psychological readiness for public speaking with the help of the author's programme have been determined and experimentally verified during special training based on the problem-solving tasks.

While using the programme a teacher has to remember that the systematic increasing in complexity of the problem-solving tasks demands taking into his/her account the individual characteristics and capabilities of the group members, as well as the psychological patterns of cadets' communicative activities in a particular problem-solving learning situation (Smulson, 2003).

The influence of various intellectual and motivational factors for transforming a specified external problem into a problem in a psychological sense (Smulson, 2019) by a cadet.

Practice makes perfect.

Moreover it is important to motivate (Safin, 1995) cadets to speak without a fear.

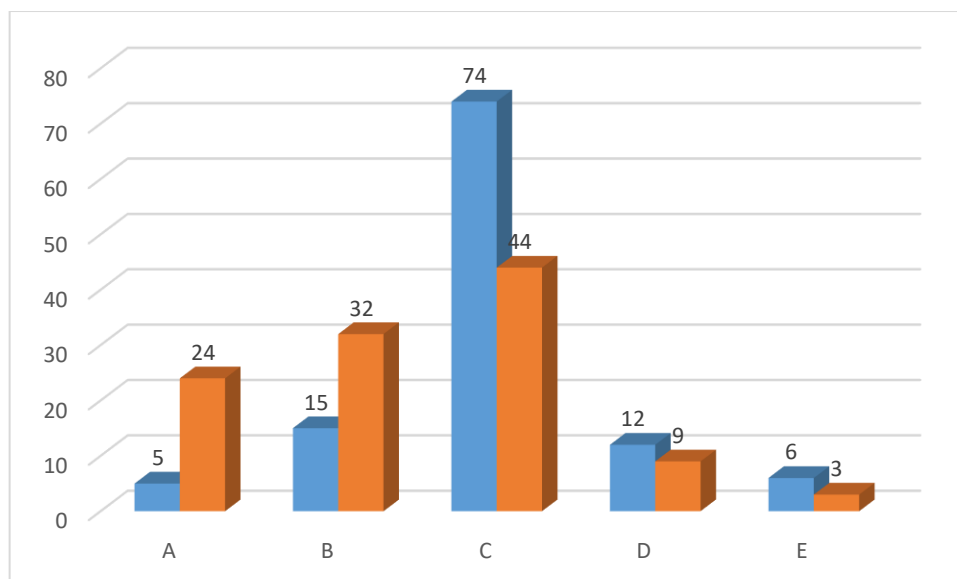
After having used the programme, at the end of our investigation we conducted the experimental study. The results of the second phase of the study according to the categories are presented in Table 2.

Table 2 Results of comparative analysis of the cadets' psychological readiness for public speaking at the end of the study

(Source: compiled by the author)

Groups	Levels of psychological readiness										Total number
	A		B		C		D		E		
	Number	%	Number	%	Number	%	Number	%	Number	%	
Group 1	7	21,88	10	31,25	10	31,25	3	9,38	2	6,25	32
Group 2	6	20,69	8	27,59	12	41,38	3	10,34	0	0,00	29
Group 3	5	20,00	7	28,00	11	44,00	2	8,00	0	0,00	25
Group 4	6	23,08	7	26,92	11	42,31	1	3,85	1	3,85	26
Total	24	21,43	32	28,57	44	39,29	9	8,04	3	2,68	112

As a result of the purposeful activities aimed at the cadets' motivation to be ready to take the floor during the process of their involvement into the problem-solving situations the positive changes of the levels of cadets' psychological readiness took place which are presented in Figure 1.



(blue colour – at the beginning of the study; orange colour- at the end of the study)

Figure 1 Results as for the levels of the cadets' psychological readiness for public speaking at the beginning and at the end of the study

(Source: compiled by the author)

We have used the Kolmogorov-Smirnov criterion λ to varify the statistical significance of the cadets' psychological readiness changes for public speaking with the help of the author's programme. This criterion is designed to compare two distributions: the empirical distribution of a sign with the theoretical (uniform evaluation criterion or normal) distribution or two empirical distributions. The criterion gives us the opportunity to find the point at which the sum of the accumulated differences between the two distributions is the largest and also it allows to evaluate the reliability of this difference in values.

During the calculation procedure, first of all, the frequencies have been compared by the first level, then changes – by the sum of the first and second levels and after that – by the sum of the first, second and third levels, etc. Thus, the frequencies collected at the certain level are compared every time.

If the differences between two distributions are significant, then at some point the difference in accumulated frequencies will reach a critical value, and then the differences can be considered reliable. This difference is included in the criterion λ formula. The larger the empirical value λ , the more significant the discrepancies.

If $\lambda_{emn} \geq 1,36$, the differences between the distributions are significant with the reliability is not less than 95% (Valchuk, 2013).

We would like to emphasise that we met all the limitations of this criterion, particularly: the sufficient sample size, ordered levels of the sign, and the sufficient number of the levels sign.

To calculate the empirical value of the criterion λ , we used EXCEL software, the results of which are presented in Table 3.

Table 3 Calculation table for calculating the empirical value of the criterion λ

(Source: compiled by the author)

Levels	Frequencies				Frequencies sum		<i>d</i>
	$n_i^{(1)}$	$n_i^{(2)}$	$f_{emn}^{(1)}$	$f_{emn}^{(2)}$	f_1^*	f_2^*	
A	5	24	0,0446	0,2143	0,0446	0,2143	0,1696
B	15	32	0,1339	0,2857	0,1786	0,5000	0,3214
C	74	44	0,6607	0,3929	0,8393	0,8929	0,0536

D	12	9	0,1071	0,0804	0,9464	0,9732	0,0268
E	6	3	0,0536	0,0268	1,0000	1,0000	0,0000

We used the following formula to calculate the empirical value of the

criterion: $\lambda_{emn} = d_{\max} \cdot \sqrt{\frac{n_1 \cdot n_2}{n_1 + n_2}}$, (Valchuk, 2013: 49).

The largest difference d_{\max} turned out to be 0.3214, so the empirical value of the criterion $\lambda_{emn} = d_{\max} \cdot \sqrt{\frac{n_1 \cdot n_2}{n_1 + n_2}} = 0,3214 \cdot \sqrt{\frac{112 \cdot 112}{112 + 112}} = 2,4054$.

As the empirical value of the criterion was greater than the critical value $\lambda_{emn} \geq 1,36$, the differences between the distributions are reliable with the reliability of at least 95%, and if the value obtained is less, there is no reason to assert that the groups differ in terms of the level

Thus, the study results have testified about the effectiveness of the programme on forming and developing psychological readiness of the future professionals for overcoming nervousness during public speaking in the conditions of the higher military educational establishment.

CONCLUSION

The theoretical and experimental study results of the psychological aspects of the teaching future professionals to overcome nervousness during public speaking have given us the opportunity to make the following conclusion:

1. The meanings of the terms “glossophobia” or “fear of public speaking”; “public speaking nervousness” have been analysed. We can call it nervousness, excitement in front of an audience, or public speaking shyness, but the essence of the term remains the same: fear or anxiety associated with interacting in public. To a certain extent, anxiety is cognitive in nature, i.e. an individual mentally anticipates how nervous he/she will be.

2. According to scientists, excitement during public speaking is a fairly normal phenomenon, and in fact, a little excitement helps a person to demonstrate all their capabilities, because if a person indifferent to his/her speech, this person will probably not deliver it in the best way.

Public speaking anxiety refers to the anxiety that an individual experiences when giving a speech or preparing to speak in front of others.

3. The causes of public speaking fear and the mechanisms of its overcoming have been investigated taking into consideration the mental and emotional factors of the individual, involving a combination of mental strength, emotional stability, confidence and adaptability.

4. Psychological readiness is a qualitative criterion of an individual's self-regulation at the processes different levels: physiological, psychological, and social ones. Psychological readiness for overcoming nervousness during

public speaking is the essential part of the professional competence of the future professionals.

5. The systematic study of the psychological peculiarities of the formation and development of professional psychological readiness of future professionals has allowed the author: 1) to reach a new level of the theoretical understanding of the process of regulating cadets' emotional states and 2) to develop a programme on forming and developing cadet's psychological readiness for overcoming nervousness during public speaking.

6. The programme is a complex of the targeted teacher's influence on the cadets' motivational, need, emotional and cognitive spheres based on the leading activity and taking into account their individual psychological characteristics. It is an essential component of their professional training in the conditions of military higher educational establishment.

7. The proposed programme focuses on such psychological and pedagogical aspects of its implementation as the interaction of the teacher and cadets in the communicative learning environment, socio-psychological determinants of group influence on the development of cadets' ability to regulate their emotional state, psychological and methodological conditions for creating professionally oriented problem situations.

8 The data of the theoretical and methodological analysis have been verified experimentally. The results of the study suggest that the cadets' psychological readiness to overcome nervous states before public speaking is formed and developed more effectively when using the developed psychological and pedagogical programme.

9. The study does not claim to cover all the theoretical and methodological aspects of teaching future professionals to overcome nervousness during public speaking.

10. One of the main vectors for the further research in this area, in our opinion, is the development of a structural and functional model for managing training groups during training sessions on the formation of psychological readiness of future specialists to overcome nervousness before public speaking.

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STUDY GROUP COHESION AS THE FACTOR OF EFFECTIVE FORMATION OF PROFESSIONAL COMPETENCE OF FUTURE SPECIALISTS

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Abstract. *The article deals with the analysis of the aspects of the study group cohesion and its role in the process of the professional competence formation of the future specialists in the conditions of the higher military educational establishment. The psychological aspects of the rise in effectiveness of study group cohesion within the framework of group organization and its dynamics have been analysed.*

The psychological determinants of the group cohesion of the study group of a higher educational establishment, which directly influence the level of students' professional competence formation in the system "teacher - study group members" have been determined.

The results of an empirical study on the use of the author's programme for increasing the cohesion level of a study group to improve the level of professional competence have been revealed taking into consideration the integrative characteristics of individual and interpersonal relationships of future specialists in the process of their professional competence formation.

The evidence of the usage of the special programme on rise in effectiveness of study group cohesion which consists of the problem-solving situations and trainings has been presented. The programme is aimed at improving interpersonal relationships in the system "teacher-students" in the conditions of the higher military education establishment.

Keywords: *cohesion, future specialists, group dynamics, higher military educational establishment, professional competence, study group.*

INTRODUCTION

The professional competence is considered to be the main factor which determines the success of carrying out the professional activities by specialists. In this context, it is essential to emphasize that the role of the group cohesion as the factor, which influences the level of skills and habits development of the future specialist, is stipulated by the social and psychological support for the study group management, taking into account the aspects of interpersonal relationships of the group members.

Topicality of the research. The relevance of the study of this issue as for the study group cohesion as one of the principal factors of effective formation of professional competence of future specialists is caused, on the one hand, by the necessity to improve the quality of future specialists professional training in the conditions of the higher military educational



establishment, the urgent need to find the effective ways for improving the management of study groups as an essential component of the teachers' psychological competence. We would like to stress that it is important for teacher to take into his/her account the level of group cohesion and socio-psychological determinants of group influence on an individual in the concrete study group.

That is why **the objective of the article** is to investigate the influence of the study group cohesion level on the rise in effectiveness of the process of the formation of future specialists' professional competence in the conditions of the higher military educational establishment.

The knowledge of these aspects will give the teachers opportunity to regulate the group processes in the particular study group and in its turn, to increase the study group cohesion level and influence upon the group dynamics for its effective organization and development in order to form the necessary level of the future specialists' professional competence.

Research period. The empirical study was carried out at Bohdan Khmelnytskyi National Academy of the State Border guard Service of Ukraine in the period of January 2023 up to July 2024 taking into account the real conditions of the military higher educational establishment on the basis of the sociometric method that allow us to determine the social status of a particular person in the concrete study group in order to influence the group cohesion level which in its turn has the positive effect on the process of professional competence formation of the future specialists.

Research hypothesis. The effective formation of professional competence of future specialists is determined by the appropriate level of cohesion of the study group.

In accordance with the purpose of the "research hypothesis, **the objectives of the study** were the following:

1. To analyze the meanings of the terms "study group", "cohesion" and "group cohesion" in the multidisciplinary context and determine the the essence, features, content of the military students group cohesion.

2. To determine the psychological features which are typical of military study groups and indicators to be taken into teacher's consideration while forming the necessary level of professional competence of the future specialists.

3. To develop and verify the special programme on rise in effectiveness of study group cohesion level in order to form the future specialists professional competence up to the level.

4. To develop the practical recommendations on the improving the group cohesion level in the conditions of the higher military educational establishment.

INVESTIGATION RESULTS

Scientific sources analysis. The results of the scientific sources analysis testify about the fact that there has been no shortage of the investigations on cohesion in general and the criteria for success group cohesion in particular. Let us consider some of them.

Henry Kellerman (1981) analyses the aspects of group cohesion in the context of theoretical and clinical perspectives. Gordon L. Lippitt (1982) examines the aspects of group cohesion based on the main characteristics of organization development. Marvin E Show studies the aspects of group cohesiveness in the context of the phenomenon of group composition in the social environment taking into his consideration the nature of group dynamics and psychological features of small group behavior (1976). Olena Volobuieva investigates the peculiarities of leader's ability to ensure the essential military study group cohesion level (2019) and others.

In spite of the fact that a number of scientists have dedicated their works to the investigation of the various aspects of group cohesion (cohesion - i.e. the act or state of keeping together (Hornby, 2005), the results of the study testify about the fact that nowadays the problem of study group cohesion as the factor of effective formation of professional competence of future has not been investigated up-to-the level. Particularly it is essential to study the nature of group cohesion within the framework of study group as organized system that is not as isolated phenomena but as the interrelated processes of social interaction in the condition of the higher military educational establishment.

There is the evidence throughout the literature that well-organized teaching and training process based on the specially created favorable conditions for proper relationships between the study group members increases the rise in effectiveness of developing future specialists' skills and habits.

The nature of the term “cohesion” within the framework of multidisciplinary

Cohesion is a multidisciplinary phenomenon covering the particular investigation subjects of the following sciences: in psychology - cohesion is the index of interpersonal relationships and one of the main group indices. Group Cohesion is the psychological term that defines the strength of the bond between group members that holds them together and fosters their desire to work together towards common goals (Henry Kellerman, 1981); (Carron & Brawley, 2000). Cohesion as a phenomenon within the context of group dynamics and it is important to understand the very group nature and

its life functioning on the grounds of the wide variety of the theoretical approaches or orientations to group dynamics (Volobuieva, 2019).

In psychology the term “unit cohesion” is defined as the level of trust, support, and common purpose among members of small groups, such as a military unit or work team. (Griffith, 2002). In sociology, cohesion is defined as a degree of integration and unity among society members or social group based on the shared values, norms and social ties (Moustakas, 2023). The term “group cohesion” is used to study the internal dynamics of social groups, trade unions, political movements and religious groups (Tilly, 2004).

In anthropology, the term “collective cohesion” describes the cultural and social cohesion of a collective, which is ensured by shared rituals, traditions and customs (Taylor & Davis, 2018).

In political science, the term “social cohesion” refers to the level of unity and agreement within political groups or factions, which affects their ability to achieve political goals and implement a common political programme (Chhibber & Kollman, 2004).

In epidemiology - cohesion is defined as the level of interaction and social support in a community or social group that affects the spread of infectious diseases and the effectiveness of public health measures (Christakis & Fowler, 2009; Bavel et al., 2020; Dixon & Schafer, 2014).

For our investigation it is essential to analyze the term “cohesion” which is used in the sphere of education. In the educational context cohesion is defined as a level of integration, mutual support and cooperation among students and teachers (Johnson & Johnson, 2009).

As for the term “group cohesion” in the context of education, it refers to the level of cooperation and support in study groups or classes that promotes effective learning, motivation and a positive learning climate (Slavin, 1996).

In communication research, cohesion is defined as the level of effective communication and understanding between group members that contributes to the achievement of common goals and the efficiency of group activities. (Scott & Lewis, 2017).

Thus, the results of our study indicate the various aspects and definitions of cohesion from a variety of academic disciplines. The importance of cohesion for achieving collective goals, work efficiency and social stability is of vital importance.

The psychological features which are typical of study group of the higher military educational establishment

In our study we have determined the psychological features which are typical of study groups at the higher military educational establishment and

indicators to be taken into teacher's consideration while forming the necessary level of group cohesion while forming the professional competence of the future specialists.

The study groups of students and cadets have not only social and psychological features common to any group, but also the specific features that are due to the specific tasks of higher military educational establishments and the nature of their daily activities. They are the following: 1) the clear regulation of the relations and functional dependence of the members of the study group, which is determined by the subordination system; 2) the observance of military discipline and law and order; 3) sole authority in complex coordinated activities and others.

FACTORS OF EFFECTIVE FORMATION OF PROFESSIONAL COMPETENCE OF FUTURE SPECIALISTS

Terminology

In order to clarify the aspects of the positive influence of the proper cohesion level upon the essential level of professional competence of the future specialists we would like to point out that in the study the term "competence" in the meaning of individual's "ability to do something well" (Hornby, 2005) is used. As for the term "professional competence" we have defined it as the individual's broad professional knowledge, attitude, and skills required in order to work in a specialized area or profession.

Professional competence formation peculiarities

While analyzing the peculiarities of the process of professional competence formation of the future specialists we took into our account the conceptual provisions of the integrated approach theory to professional aptitude, which combines the analysis of the social factors of professional development (knowledge, skills, abilities; motives and professional abilities) and psychophysiological characteristics (Kuijpers et al., 2010). In the context of our study, we would like to emphasize that the positive influence of group work upon professional competence formation is obvious alongside with proper theory and practice methodology (Niu et al., 2021).

From the psychological point of view, professional competence is closely connected with the professional readiness of the future specialists to carry out service duties according to the standards. The essential parts of this competence are well-developed skills and habits in all the aspects of the future professional activities to be performed by the future specialists after having graduated from the higher educational establishments.

Sturm (1998) finds professional competence to be the basis of the competent practice that promotes human welfare and protects clients from

harm within the framework of professional ethics. In this context the boundaries of professional competence are based upon education and training. Auner, C., Dorner, B., Pankofer, S. (2023) have proved that professional intervention strategies are the positive indexes of the professional competence.

Thus, professional competence means having requisite knowledge, skills, and abilities to carry out the professional duties according to the standards of the future specialist's profession.

In our studies (Volobuiev, 2022) we analyzed the very peculiarities of the formation of the professional readiness of future border guard officers and determined the certain criteria, indicators and levels of formation of professional readiness of future border guard officers for project management which are considered to be the principle factors of the essential professional competence level (Volobuiev, 2022). All these investigation results have been taken into our consideration while investigating the psychological aspects of the rise in effectiveness of study group cohesion level within the framework of group organization and its dynamics.

SPECIAL PROGRAMME ON RISE IN EFFECTIVENESS OF STUDY GROUP COHESION LEVEL

In our research we have developed and verified the special programme on rise in effectiveness of study group cohesion level in order to form the future specialists professional competence up to the level. We determined and experimentally test the psychological and pedagogical conditions for the formation and development of cohesion of the study group through the psychological training using the author's programme based on problem-solving situations and trainings on the grounds of problem-based learning.

EMPIRICAL STUDY

To determine the effectiveness of the programme, we have used the sociometric method that allow us to determine the social status of a particular person in the concrete study group.

The investigation was conducted in three study groups, with a total number of 94 students. In each group, the respondents had to choose (the so-called "positive choice") or did not choose (the so-called "negative choice") the groupmates in the different categories in order to determine the level of interpersonal relations in the study groups involved into the experiment. As far as this method is concerned, it is one of the socio-psychological methods of studying interpersonal relations in a group based on the choice matrix. We

used six questions on likes and dislikes of each member of the study group in the sociometric survey questionnaire.

After having processed the results, we analysed the elections according to the following criteria: 1) 'the most reliable person' (six or more positive marks); 2) 'a desirable person' (three to five positive marks); 3) 'an acceptable person' (one or two positive marks, no negative marks); 4) a passive person' (approximately the same number of positive marks, but one negative mark or two - negative marks); 5) 'a destructive and passive person' (a few positive marks, but many negative ones), 6) 'a rejected person' (only the negative marks were received); 7) 'an isolated person' (there is no any positive mark).

In order to determine the level of cohesion in the groups at the beginning of our study we determined three levels of social status in the study groups taking into our consideration the level of mutual sympathy in interpersonal relationships and the degree of attractiveness (usefulness) of the group for its members: 1) *a high level of social status* - for the types of the students of the so-called "the most reliable person" and for so-called "a desirable person; 2) *a middle level of social status* - for the types of the students of so-called "an acceptable person" and so-called "a passive person" - these are the individuals with a middle level of perception in the study group; 3) the rest of the participants have a *low social status* in the group.

The main sections of the sociometric results are presented in Table 1.

Table 1 Results of the Sociometric Survey According to the Social Group Status

Groups (number of students)	High level	Medium level	Low level
Group 1 -30 students	5	18	7
Group 2 - 33 students	8	16	9
Group 3 - 31 students	9	14	8
Total - 94 students	22 (22,4%)	48 (51,1%)	24 (25,5%)

(Source: compiled by the author)

The psycho-pedagogical conditions for the formation and development of study group cohesion through psychological training using the author's programme for the formation and development of cohesion of the students group have been determined and experimentally tested.

While influencing the study group members psychologically, a teacher has to take into his/her account that an important indicator of the interpersonal relations between students in a group is the group cohesion which influences the process of the professional competence formation and

is one of the main group indices. It characterises the degree to which the likes and dislikes of each member of the study group prevail over the other members. Cohesion is a characteristic of a group that is measured by the level of mutual sympathy in interpersonal relationships and the degree of attractiveness (usefulness) of the group for its members. Cohesion reflects the extent to which group members feel sympathy or antipathy towards other team members (Steponov, 2006).

After having conducted the special problem-solving trainings with the students in order to improve their interpersonal relationships in groups we determined three levels of social status. Then, after the cohesion work, the analysis of the sociometric matrix showed an increase in the number of students with the high social status by 14.8% in the training group. At the same time, there was a significant decrease in the proportion of students with the low level of perception in the training group (by 12.7%).

The results of sociometry at the end of the experiment on programme usage is presented in Table 2.

Table 2 Results of Sociometry after the Programme Usage

Groups / number of students	High level	Medium level	Low level
Group 1: 30 students	10	17	3
Group 2: 33 students	13	16	4
Group 3: 31 students	12	14	5
Total number: 94	35 (37,2%)	47 (50,0%)	12 (12,8%)

(Source: compiled by the author)

We varified the significance of these changes using Pearson's statistical test (Rudenko and Rudenko, 2009), which we calculated using the EXCEL software. The results of the test are given in Table 3.

Table 3 Calculating the Empirical Value of Pearson's χ^2 Criterion

Levels	Empirical frequencies/students		Amounts	Theoretical frequencies	
	at the beginning	at the end		at the beginning	at the end
high	22	35	57	28,5	28,5
middle	48	47	95	47,5	47,5
low	24	12	36	18	18
Total	94	94	188	94	94

(Source: compiled by the author)

We checked up the significance of these changes using the Pearson statistical test , which we calculated using EXCEL software as well. The resulting empirical value was 6.9754, which allows us to state with at least 95% confidence that the positive changes that have taken place in the study groups after having used the program are significant statistically. Our calculations confirm that the measures taken to bring the study group together during the training are effective. The summarised results before and after the study are presented in Figure 1.

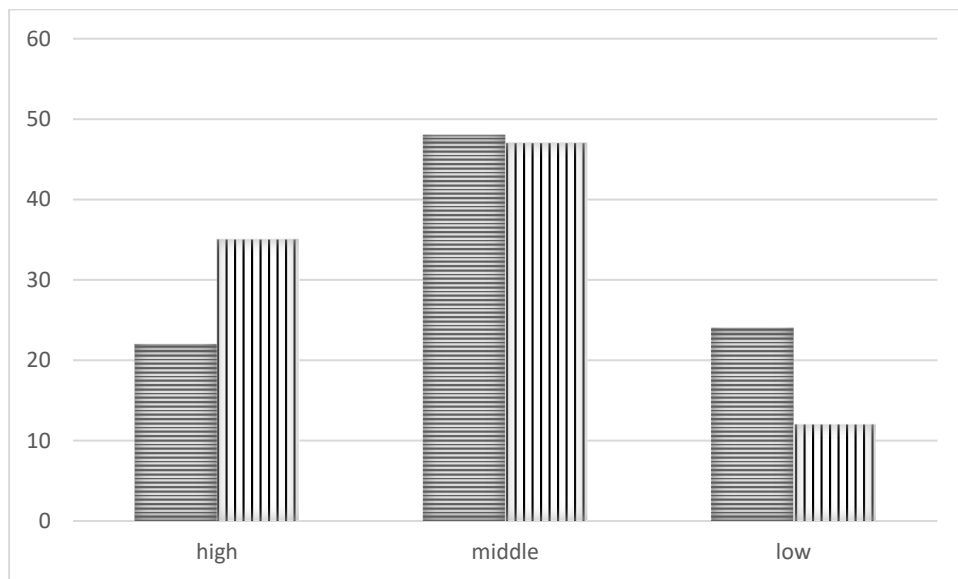


Fig.1. Comparison of Social Status Levels at the beginning and at the end of the study (Source: compiled by the author)

CONCLUSION

1. Group cohesion is a multidisciplinary phenomenon. The various aspects of group cohesion have been the investigation subjects of such sciences as psychology, sociology, anthropology, epidemiology political studies and others.
2. The proper group cohesion level in the certain study group is one of the main factors, which influences the effective formation process of the future specialists' professional competence greatly.
3. The professional competence is considered to be the main factor which determines the success of carrying out the professional activities by specialists.

4. The level of cohesion of the study group directly affects the level of organisation of educational communication in the teacher-student system. For teachers it is necessary to create the psycho-pedagogical conditions while using the programme in order to increase the level of group cohesion. It is essential to take into teachers' account the socio-psychological determinants of group influence upon the group members. The proper knowledge of these determinants gives the opportunity to create the motive influences in order to actualize the real possibilities of every group member within the objective measures of individual's potential.
5. Group cohesion as an integral characteristic of the central link of the group structure of a small group characterises the process of development of intragroup relations that correspond to the development of group activities of the future specialists.
6. The special programme on rise in effectiveness of study group cohesion level gives the teachers the opportunity to perform the positive interaction with the study group members in order to form the future specialists' professional competence. The empirical results of the usage of the programme have proved its effectiveness.
7. While using the above-mentioned programme the teachers have to create the necessary didactic, psychological and pedagogical conditions in the study group for the successful educational communication in the system "teacher – students" in order to form the essential level of the future specialists' professional competence i.e. their abilities to perform the professional duties up-to-the level.
8. Problem-based learning, which main function is to maximise the development of future specialists' mental, intellectual and creative abilities, and the ability to use previously acquired knowledge actively, gives the learning process a character of completeness. In this regard, it is important for teachers to take into their consideration the individual characteristics and capabilities of group members.
9. The teachers have to be good at special knowledge on group dynamics and use various abilities and strategies they have to take into their consideration the aspects of the group cohesiveness, which will help them to get the feedback of the training process ultimately.
10. It is of vital importance for teachers to be good at the socio-psychological regularities of group processes functioning in order to provide the effective processes of education and training in the particular study group. This means that only proper psychological teachers' training, along with professional and methodological training gives them the opportunity to organise educational communication

properly, taking into account the level of cohesion of each particular study group.

Unfortunately, the limited volume of the article does not allow us to reveal all the aspects of the problem under consideration in more details.

The directions of the further research of the improving the process of professional training of the future specialists in the conditions of the higher military educational establishment are the following: 1) the analysis of the motivational mechanisms for regulating the management of the study group state and 2) the investigation of the structure of socio-psychological characteristics of the study group.

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