# ENSURING THE SAFETY OF CITIZENS IN TIMES OF WAR: ASPECTS OF THE ORGANIZATION OF CIVIL DEFENSE

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Abstract: Currently, there is a worldwide inclination toward the restructuring of civil protection systems, transitioning from a focus on responding to potential emergencies to fostering state resilience during diverse crises. It is manifested in the context of Ukraine amid the challenging circumstances of martial law enacted following the extensive invasion of Ukrainian territory by the Russian Federation. The objective of this investigation is to conduct a thorough analysis of the nuances associated with guaranteeing civil protection and ensuring the safety of citizens during wartime. The article substantiates that the amalgamation of political, legal, socio-economic, and psychological factors influencing military operations necessitates a proficient systemic response and the reformation of the civilian security sector. The principal functions of public authorities vested with the responsibility for safeguarding civilians during periods of martial law have been scrutinized. Additionally, the legal framework governing civilian protection in Ukraine during times of war has been evaluated.

Keywords: Martial law, Civil protection, Population, Public administration, Security measures, Evacuation, Critical infrastructure, Civilian infrastructure

#### 1 Introduction

In the contemporary global context, the framework for safeguarding a nation's population is evolving from a focus on responding to potential emergencies to ensuring the resilience of the state in the face of diverse crises. Furthermore, a mechanism has been established to facilitate collaboration between governing authorities and civil protection forces with the armed forces and law enforcement agencies. In Ukraine, this transformative process is occurring amid the challenging circumstances of martial law, which was instituted in February 2022 in response to escalating threats posed by the presence of Russian Federation troops on Ukrainian territory, a situation that has persisted since 2014. Until 2022, the implementation of supplementary measures to restrict the movement of troops in Donetsk and Luhansk regions, as well as the separation and withdrawal of Ukrainian and Russian forces, presented an illusory semblance of establishing a secure zone. However, starting in 2022, the bombardment of civilian infrastructure, residential areas, shopping centers, streets, and edifices in villages, cities, hospitals, maternity wards, kindergartens, and educational institutions, among other locations throughout Ukraine, has prompted a commensurate response from the state.

The study endeavors to examine the system by which the security of the civilian population is actualized within the country during military operations, drawing upon the framework established by existing national and international legislation and regulations

# 2 Literature Review

The scientific and methodological foundation for the examined issues is established by researchers whose studies center on the functional tools of the civilian security system and the protection of the population during times of hostilities. In Ukraine, the initiation of scientific research on the formulation of an effective counteraction concept against external and internal threats coincided with the commencement of the full-scale invasion by Russia (Kaplia, 2023; Moisiiakha, 2022; Hentosh, 2022).

In specific detail, researchers have meticulously developed the underpinnings of a monitoring system, aimed at identifying threats and formulating effective responses (Izarova et al., 2023). Additionally, scholarly investigations have delved into the legal dimensions of civilian engagement in the defense of Ukraine during periods of martial law (Albul et al., 2022). Several studies

conducted by scholars are dedicated to the establishment of mechanisms for the public administration of civilian protection measures for the population during martial law (Andriienko et al., 2022). The examination of issues on the protection of environmental rights in Ukraine within the context of military aggression constitutes the focus of research undertaken by certain scholars (Antoniuk, 2022).

A cohort of contemporary scholars has directed their attention towards specific facets of safeguarding national values and advancing Ukraine's interests. Notably, an examination of the impact of the corruption component on national security has been undertaken (Akimova et al., 2020). Additionally, investigations into mechanisms of public administration have been explored (Pomaza-Ponomarenko et al., 2020), along with an inquiry into opportunities for international regulatory support aimed at optimizing the civil protection system (Lepskiy et al., 2023). Furthermore, scholarly efforts are concentrated on researching the potential avenues for reforming the civil protection sector as an integral component of the security landscape within the context of Ukraine's European integration (Demchuk, 2023).

It is noteworthy that, notwithstanding the scientific contributions made by these scholars, there exists a necessity for more indepth research into the mechanisms for ensuring civil protection of the population and the expeditious identification of both internal and external threats. Such research is imperative to facilitate the optimal formulation of a comprehensive security concept, enabling a prompt response to emerging challenges and the development of a preventative protection framework.

#### 3 Methods and Materials

The methodological foundation of the study relies on contemporary general scientific and specialized methods of scientific inquiry. Specifically, inductive and deductive methods are employed for the analysis and synthesis of information pertaining to the research subject, and analysis is applied in processing scientific and legal sources relevant to the research topic. The study also utilizes generalization of the examined materials, forecasting, and generalization for the formulation of conclusions and recommendations based on the study's outcomes. The functional method is employed to integrate various components of the study with its primary focus, while the systemic and structural methods are employed in the formation of integral components supporting the proof of the hypothesis. The specialized methods employed in the scientific investigation of this topic include the historical method, utilized for the examination of the chronological progression in the establishment of a comprehensive set of measures for security creation. The method of system analysis is applied for the comparative assessment of threats to both the civilian population and the State, and for evaluating the corresponding responses aimed at their mitigation. Furthermore, the study incorporates the generalization of regulatory and practical materials throughout the research process.

## 4 Results

The concept of security is conceptualized as a condition devoid of any threats. Simultaneously, security is defined as a form of engagement undertaken by individuals, society, the state, and the international community. This engagement involves the identification, prevention, minimization, elimination, and mitigation of threats capable of inflicting irreparable damage, jeopardizing material and spiritual values, and obstructing the progressive development of society. The assurance of security guarantees is deemed essential for the effective functioning of individuals and societies, encompassing both national and global contexts.

With the evolution of statehood as a distinctive aspect of national identity and its conceptualization as the primary actor in international relations, the concept of security has taken on the criterion of nationality. In contemporary times, security guarantees constitute the unequivocal foundation of state activity, establishing optimal and favorable conditions for national social, economic, political, and cultural processes (Dill et al., 2021).

From our perspective, the primary duty of the state is to safeguard the well-being of its citizens and residents in the face of specific threats to their life, health, and general welfare. War, among other significant factors, necessitates the implementation of measures to organize human security. A parallel response from the state, specifically from public authorities, is also triggered in the face of events such as terrorism, nuclear threats, man-made and natural disasters (Lim et al., 2022).

From March 12, 2020, to February 24, 2022, Ukraine underwent a period of quarantine in response to the global spread and threat of the COVID-19 virus pandemic. Subsequently, as of February 24, 2022, martial law has been instituted, activating civil protection units to be on alert for the execution of assigned tasks during this special period (Izarova et al., 2023).

Within the duration of martial law, a cohesive state system of civil protection is operational. This arrangement is governed by the Code of Civil Protection of Ukraine, the Law of Ukraine "On Legal Regime of Martial Law," sector-specific regulations, and norms derived from international humanitarian law (Kaplia, 2023).

Broadly speaking, the foundation of the civilian protection concept lies in the development of a comprehensive array of measures aimed at guaranteeing the national security of the state and its administrative-territorial units (Rawtani et al., 2022).

In the Concept of National Security of Ukraine, sanctioned by the Verkhovna Rada of Ukraine on January 16, 1997, security is conceptualized as the safeguarding of vital interests of individuals, citizens, and society (Hentosh, 2022). State security, as outlined in the concept, ensures institutional support for the sustainable development of society and the prompt identification, prevention, and neutralization of both actual and potential threats to national interests (Motte-Baumvol et al., 2022).

In the current stage of societal development, national security is conceptualized as a system designed to optimize the correlation between perceived threats and the available resources to effectively counteract them (Pereira et al., 2022). Functioning as a dynamic mechanism for achieving and sustaining the equilibrium between actual and potential threats and the entity's capacity to mitigate them, national security is principally realized through the intricate network of relations among individuals, society, and the state (Fysekis, 2020; Guna, 2023; Lobna, 2022). Therefore, national security constitutes a state of internal and interstate relations that gauges the efficacy of the system encompassing state, legal, and social guarantees of rights and freedoms, fundamental values and interests of society, as well as the sovereign state, against both internal and external threats (Mishra, 2020).

As illustrated in Figure 1, within a democratic state characterized by an established set of fundamental values safeguarded and ensured for development and support, a human-centered approach is evident. This approach reflects the orientation of the state and public administration bodies towards preserving the life, health, and secure living conditions of individuals within its territory, asserting the individual and their life as the paramount value.

A person and a citizen Society and its relations Constitutional order of the state Nature and environment State sovereignty Ethnic groups State territory and borders Nation and national communities Values of the society Constitutional human freedoms Constitutional human rights Natural resources of the state

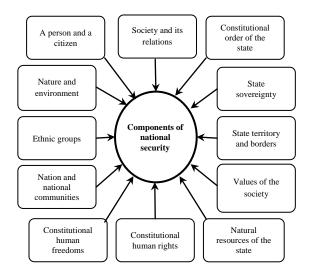


Figure 1. Components of national security Source: Compiled by the author

The current war in Ukraine represents the most devastating armed conflict since World War II. Ongoing military operations result in extensive air pollution and the widespread dissemination of hazardous substances in the environment, infringing upon citizens' rights to a clean environment and satisfactory living conditions (Fomenko, 2022). The gravity of potential consequences arising from the war on air quality in Ukraine and beyond is unequivocal, necessitating an immediate investigation into the associated risks and the viability of implementing preventive measures to mitigate them. A comparative analysis of the ecological condition of the air in Kyiv, utilizing pre-war period data (Popov et al., 2020), and information on concentrations of harmful substances during the period of martial law (Voitiuk et al., 2023) reveals a substantial and deleterious transformation in air quality. This transformation undoubtedly exerts a negative impact on the health and wellbeing of the population.

Martial law is defined as a distinct legal regime implemented in Ukraine or on specific territories in response to documented armed aggression or a potential threat of attack, constituting an imminent hazard to the independence or territorial integrity of the state. The enactment of martial law establishes legitimacy for conferring public authority upon relevant entities. Specifically, military administrations, military command and control, and local self-government bodies are endowed with requisite powers to preempt threats, counter armed aggression, ensure national security, eradicate threats to Ukraine's state independence and territorial integrity, and temporarily curtail human and civil rights.

The legal underpinning for the imposition of martial law consists of the Constitution of Ukraine, the Law of Ukraine "On Legal Regime of Martial Law," and the pertinent Presidential Decree endorsing the introduction of martial law in Ukraine or designated regions of Ukraine, as ratified by the Verkhovna Rada of Ukraine following the established legal procedures (Andriienko et al., 2022). The initiation of martial law serves as the foundational milestone for activating pertinent mechanisms aimed at safeguarding civilians at the "full readiness" level. Initially, local state administrations were conferred with the of military administrations, encompassing commensurate functions and the prerogative to curtail the freedoms and rights of citizens during martial law. Subsequently, curfews were implemented in diverse regions of Ukraine, contingent upon the level of threat posed to the life and health of the population. This measure was instituted to impede the movement of subversive groups, their vehicles, hazardous machinery, and mechanisms during the night and at dusk, thereby averting potential threats to the civilian population. As part of the cohesive set of measures, a regime of blackout during the war was implemented in specific areas. Following this, in the western regions of Ukraine and the capital, Kyiv, the curfew and blackout measures were relaxed and scaled back. This adjustment aimed to facilitate economic activities, enable the formation of budgetary figures and augment revenue generation. The regional military administrations are not solely endowed with authority but are also obligated to oversee the temporary or permanent movement of the population, specifically evacuation, from areas deemed or potentially considered perilous to human life. Their responsibilities encompass the comprehensive management of the evacuation process, ensuring the safe relocation of minor children either with their parents, one of them, guardians, or one of them, or independently if none are available, to secure locations. Priority is given to relocating individuals to their relatives; in the absence of relatives, the next option is children's shelters under their jurisdiction. This category also encompasses vulnerable, solitary individuals, and those with disabilities.

Upon the official declaration of the imposition of martial law in Ukraine, a system for alerting and informing the population about air alerts was initiated. This system operates through various channels, including the Public Broadcasting Company of Ukraine (JSC UA:PBC), state public broadcasting companies, municipal, public, and other broadcasting organizations irrespective of ownership, utilizing their television and broadcasting networks. Additionally, electronic communication operators employ public electronic communication networks, such as telephones and text messages, while internet resources, including websites and social networks, are utilized for dissemination (Kaplia, 2023). Throughout the summer of 2022, various types of signals were devised and disseminated to the general public to caution against nuclear hazards, chemical hazards, and emergencies. For this purpose, diverse signals were formulated and communicated to the public through a range of social messaging platforms. In response to the air threat, all public institutions of varied ownership structures are mandated to halt all operations, guide visitors and students to the nearest (preferably their own) shelter, and cease operations within the institution.

Following the destruction of the Kakhovka hydroelectric power plant by Russian occupation forces, circumstances arose that led to the extensive destruction of homes and properties for the populations in the Mykolaiv, Kherson, and Zaporizhzhia regions. The flood, intensifying over a span of 7 days and persisting in the ground for approximately 30 days, resulted in the erosion of residences. Hundreds of individuals found themselves submerged or stranded on rooftops without access to drinking water, food, or rescue. Tragically, fatalities ensued due to exposure to the blazing sun, hypothermia, ailments arising from prolonged immersion in water, and simultaneous shelling by Russian troops targeting those attempting to aid the affected population. The devastation of the hydroelectric power plant posed a dual risk, jeopardizing both drinking and industrial water provisions for numerous settlements. The potential for infection spread emerged from the demise of animals and humans in the water, their decomposition, the erosion of cemeteries, and the displacement of chemical facilities containing toxic substances. Furthermore, the washing away of gas wells and pipelines generated additional threats. The public leadership of the military administrations in Mykolaiv, Kherson, and Zaporizhzhia regions, alongside Kyiv, led by military authorities, had to address these challenges ad hoc, given the absence of established practices for resolving such issues. The following measures were implemented:

- Immediate and swift evacuation of the population with timely notification;
- 2. Provision of medical care to those in need;
- 3. Resettlement of the evacuated population in secure areas;
- Delivery of essential supplies including food, hot meals, drinking and technical water, dry clothing, and designated

- spaces for rest and sleep at evacuation collection points;
- 5. Transporting drinking water in 200-500 cubic meter tanks to the disaster-stricken regions;
- Provision of boats, and human resources, and surveying the flood zone to locate and evacuate individuals with limited mobility, animals, and the deceased to mitigate environmental contamination from decomposition products;
- 7. Post-recession efforts to restore utilities to the fullest extent possible, excluding heating which has been unavailable in Kherson since the occupation on November 11, 2022. The destruction of gas pipelines and Combined Heat and Power (CHP) plants by Russian troops hinders the centralized heating of homes.

The State Emergency Service of Ukraine is responsible for facilitating normal or the maximum achievable access to public utilities (electricity, water supply sewage, gas supply) within the combat zone, despite facing frequent attacks. In the year 2022, 119 workers engaged in the repair of power units and transformers following enemy attacks were tragically killed due to sniper fire and additional missile strikes. Despite these challenges, these services persist in the repair of damaged utility and infrastructure lines, thereby enabling the fulfillment of legal mandates for the adequate protection of civilians during martial law.

#### 5 Discussion

The implementation of several measures aimed at ensuring the safety of the civilian population does not consistently yield positive outcomes for various reasons, and in some instances, it results in fatalities. One primary contributing factor is the adversary's strategic deception, designating civilian targets for missile and shelling attacks, including residential buildings, commercial establishments, shopping centers, educational institutions, medical facilities such as hospitals, maternity hospitals, nursing homes, rehabilitation centers, psychiatric hospitals, fuel stations, and recreational areas (Mutuma et al., 2022; Massingham et al., 2023). A significant point of contention in this matter is the challenge of ensuring 100% rapid movement to shelters, particularly for individuals permanently or temporarily disabled (Johnson, 2021; Escobar, 2023). There exists a lack of technical or financial capacity to equip entire medical facilities, for instance, with suitable protection. Conversely, the conscientious stance of managers in enterprises, institutions, and individuals themselves towards their safety grants them an unequivocal right to leave their workplace and seek shelter. Prohibition or negative feedback from management or colleagues concerning such actions by an employee should be subject to administrative penalties, and instances resulting in fatal or disabling consequences should be considered in criminal proceedings against the offenders. The absence of employee complaints regarding infringements on their civil protection rights may lead to an unconscious and criminal disregard for the safety of others (Al-Gharawi, 2020; Jacob, 2019; Hudson, 2023).

It is imperative to acknowledge both the nonexistence and substandard quality of shelters and safe locations for workers, students, and visitors. These facilities were intended to be equipped and registered within 1.8 years following the commencement of the full-scale invasion, incorporating provisions for the renewal of drinking water and long-term storage of food. Moreover, the establishment of a regulatory framework to oversee these initiatives and phenomena is essential. Presently, the regulatory framework, even if well-crafted, remains largely unimplemented. Violations by local authorities and individual business leaders related to the establishment of shelters go undocumented or unpublicized, contravening the stipulations of the Civil Protection Code of Ukraine.

The second factor contributing to the occurrence of fatalities and injuries is the occasional complete disregard by the population for air raid warnings, leading to a refusal to seek shelter or relocate to a safe place. The third contributing factor involves the reluctance to evacuate both adults and children. This refusal

infringes upon the rights and freedoms of a child who, as a result, faces threats to life and health, lacks educational opportunities, is denied access to emergency medical care, experiences insufficient nutrition, and lacks the financial means to leave the danger zone without the permission of parents or guardians. Discussions surrounding these issues revolve around the imposition or non-imposition of fines on parents or guardians who may already lack the means of sustenance due to damaged infrastructure or the complete destruction of settlements (Silvestri, 2022; Levy, 2023; Krause et al., 2023).

Corruption, pervasive across various levels of the Ukrainian government, stands as a significant contemporary challenge. The extent to which this issue is addressed varies, with some aspects receiving partial attention or none at all. Scholars have underscored the imperative of directing efforts towards enhancing accountability for corrupt practices carried out by civil servants (Bowden et al., 2020; Syabina et al., 2022). In summary, Table 1 provides an overview of the challenges in civilian protection in Ukraine under martial law and potential strategies for addressing them.

Table 1. Aspects of civil protection organization in Ukraine under martial law

under martial law	
The problem	Solutions
Non-compliance with	Optimizing legal support,
the stipulations of the	implementing stringent liability
regulatory framework	measures, combating corruption, and
for civil protection.	seeking international support.
Inadequate condition	Inspecting existing shelters,
of civil defense	establishing new ones, and ensuring
shelters.	suitable conditions for the sustained
	stay of the population.
Populace's non-	Conducting awareness-raising
compliance with	activities to enhance public
security measures	understanding and compliance with
during air raid alerts.	security measures during air raid
	alerts.
Absence of adequate	Establishment of heating stations,
quality utilities,	ensuring access to uninterruptible
including heating and	power supplies, and undertaking
lighting.	efforts to restore critical
	infrastructure.
Absence of access to	Implementing logistics solutions to
quality food and	ensure access to quality food and
drinking water.	drinking water.
Environmental	Implementing environmental
consequences	monitoring and regeneration measures
resulting from	to address the consequences of
hostilities.	hostilities.

Source: author's development.

Upon analyzing Table 1, it can be contended that practical measures aimed at optimizing the material base of the civil protection system, enhancing public awareness of wartime security measures, and instituting stringent liability measures for violations of regulatory requirements for the civil protection of the population currently hold primary significance.

#### **6 Conclusions**

The examination of the state of protection for the civilian population of Ukraine during martial law allows for the delineation of several conclusions and the identification of unresolved issues. Foremost among these is the infringement upon human rights due to the absence or inadequacy of equipped shelters for the civilian population during air raids. This includes the presence of private shelters that are inaccessible to civilians in times of danger or the denial of access to these shelters. Challenges arise in adhering to legislation concerning the protection of the life and health of minors by parents and guardians within combat zones, manifested through a reluctance to evacuate to secure temporary or permanent residences. Additionally, difficulties emerge in ensuring the safeguarding of utility workers engaged in repairing damaged lines and critical

infrastructure following shelling.

These and various other challenges are addressed locally by regional public administrations. Ukraine lacks the experience of living through a war, as it has neither engaged in nor been targeted by any conflict since gaining independence. Legislative frameworks need to be readjusted, encountering practical issues due to the ongoing war and responding to them appropriately. The existing regulations in Ukraine were crafted based on the experiences of World War II, and the conflicts of the twenty-first century demand a distinct approach to safeguarding civilians, incorporating the lessons learned from contemporary practices.

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