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AUTHORITIES GRANTED TO POLICE OFFICERS DURING MARITAL LAW STATE

The introduction of martial law due to Russia's attack on Ukraine changed the life and activities of all sections of the country's population and institutions. Law enforcement agencies of Ukraine received new powers. Thus, amendments to the Law of Ukraine "On the National Police" entered into force, which provide for the expansion of police powers for the period of the introduction of martial law in Ukraine [1].

In peacetime, in the order and cases defined by law, police officers are allowed to use such coercive measures as physical influence (force), special means (truncheons, handcuffs, tear gas and irritant agents, etc.), firearms. Police officers are prohibited from using coercive measures not provided for by law [2].

However, during martial law, if it is necessary to repel an attack or to arrest a person who has committed an offense or is resisting a police officer, the police officer has the right to use both coercive measures and improvised means. The police are also given the right to apply coercive measures to persons participating in armed aggression against Ukraine without taking into account certain restrictions and prohibitions defined by law (in particular, it is allowed to use coercive measures without warning, to inflict blows with special means without restrictions on the location of their infliction, as well as use of firearms [3]).

According to the general rule of wearing a special badge, a police officer performing official duties in civilian clothes must have a special badge with him.

However, the range of cases in which wearing a token is not mandatory has been expanded: when it prevents the implementation of operational and investigative measures, covert investigative (detective)

actions, the performance of secret tasks, the implementation of measures to ensure the safety of participants in criminal proceedings, special measures to ensure the safety of court employees and law enforcement agencies and their close relatives, or during the exercise of powers during martial law [2].

Accordingly, during the period of martial law, a police officer performing official duties in civilian clothes is not required to carry a special badge. Also, during martial law on the territory of Ukraine, it is not mandatory to place identification numbers or special tokens on the personal protective equipment of police officers in the event that they perform their duties using such equipment [3].

The police may use the following technical devices, technical means and specialized software to perform the tasks assigned to it and exercise the powers defined by law: 1) photo and video equipment, including equipment that works in automatic mode, technical devices and technical means for detection and/or recording of offenses; 2) technical devices and technical means for detecting radiation, chemical, biological and nuclear threats; 3) special technical means of checking for the presence of alcohol intoxication [2].

In connection with the state of war, the police will be able to use such technical means as unmanned aerial vehicles and special technical means of countering their use [3].

These tools will facilitate the work of the police, namely: termination of terrorist or intelligence activities, activities of illegal paramilitary or armed groups, collaborationism, terrorist organizations, organized groups and criminal organizations; implementation of border control and protection of the territorial integrity and sovereignty of the state; surveillance of a person, thing or property; controlled supply and operational procurement of goods, objects and substances for the purpose of identifying and documenting the facts of illegal acts; gathering information about the illegal activities of persons who are being checked; carrying out penetration and inspection of publicly inaccessible places, housing or other property of a person.

Also, specialized software for analytical processing of photo and video information, including identification of persons and number plates of vehicles [3].

When filling databases, the police ensure the collection and storage of multimedia information (photos, videos, audio recordings) and biometric data (fingerprints, DNA samples) [2].

During the period of the introduction of martial law in Ukraine, when the registers and databases are filled, the police provides a digitized image of a person's face, digitized fingerprints, information about a person's genetic characteristics. Also, the police ensures that information is entered into the Unified Register of Persons Disappeared During Martial Law and maintains such information in an up-to-date state [3].

Therefore, the National Police play a central role in ensuring public safety and order, both in peacetime and under martial law, which is determined by its essence and reflected in the tasks it is legally empowered to do. This is clearly reflected in the Law of Ukraine "On the National Police" , which was expanded by the Law of Ukraine "On Amendments to the Laws of Ukraine "On the National Police" and "On the Disciplinary Statute of the National Police of Ukraine" for the purpose of optimizing police activities, including during martial law.

References:

1. Право на захист: які повноваження надано поліціјнтам на час дії воєнного стану. URL: [https://mind.ua/openmind/20242900-pravo-na-zahist-yaki-povnovazhennya-nadano-policijantam-na-chas -diyi-voennogo-stanu](https://mind.ua/openmind/20242900-pravo-na-zahist-yaki-povnovazhennya-nadano-policijantam-na-chas-diyi-voennogo-stanu)

2. Закон України «Про Національну поліцію». URL: <https://zakon.rada.gov.ua/laws/show/580-19#Text>.

3. Закон України Про внесення змін до законів України "Про Національну поліцію" та "Про Дисциплінарний статут Національної поліції України" з метою оптимізації діяльності поліції, у тому числі під час дії воєнного стану. URL: <https://zakon.rada.gov.ua/laws/show/2123-20#Text>.