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FEATURES OF POLICE ACTIVITIES UNDER MARTIAL LAW

The National Police of Ukraine is fundamentally a civilian law enforcement institution, established to maintain public order, protect citizens' rights and freedoms, and ensure the rule of law throughout the country. Although the police possess special ranks and are vested with specific powers, such as the lawful use of firearms, special means, and other coercive measures, their overall structure and mission remain civilian in nature.

However, during periods of active hostilities, the National Police have had to adapt rapidly to new realities, taking on functions traditionally associated with paramilitary or defense formations. In addition to performing routine policing tasks, officers now participate in demining operations, counter-sabotage and reconnaissance missions, and security stabilization in liberated areas. These responsibilities often require direct engagement with enemy forces, including professional Russian military units, making the role of the police both complex and high-risk.

It should be emphasized that, under martial law, the scope of police authority has been significantly expanded. Police officers now have broader rights to apply coercive measures, conduct checks, detain suspects, and participate in defense-related operations. This extension of powers reflects the extraordinary circumstances of wartime governance, where maintaining law and order directly supports national defense. The delegation of such powers to police and other executive bodies aligns with the core objective of martial law - the protection of Ukraine's sovereignty, independence, and territorial integrity, as well as the restoration of public safety and stability in areas affected by military aggression [1, p. 97].

According to the Law of Ukraine «On the Legal Regime of Martial Law»,

«Martial law is a special legal regime introduced in Ukraine or in certain areas of its territory in the event of armed aggression or the threat of attack, danger to the state independence of Ukraine, its territorial integrity, and entails granting the relevant state authorities, military command, military administrations, and local self-government bodies the powers necessary to avert threats, repel armed aggression, and ensure national security, as well as the temporary, threat-related restriction of constitutional rights and freedoms of individuals and citizens and the rights and legitimate interests of legal entities, indicating the duration of such restrictions» [2].

In this context, special attention is drawn to the interaction between the National Police of Ukraine and paramilitary units in matters of ensuring public safety and order, as well as in joint operations at checkpoints during the period of national resistance, armed opposition, and martial law. Under martial law, police officers operate in special service conditions, participating in activities such as maintaining public order during curfews, ensuring security in areas of active hostilities, particularly within the process of territorial de-occupation, and searching for enemy sabotage and reconnaissance groups.

All these actions are conducted in coordination with units of the National Guard of Ukraine, volunteer formations of territorial communities, and other defense structures [3, p. 226].

As O. Chudnovskyi aptly notes, it is necessary to legally enshrine the provision that volunteer formations of territorial communities, when

performing tasks related to ensuring public safety and maintaining order jointly with the National Police, should be placed in operational subordination to police representatives. This subordination would ensure a unified chain of command, enhance coordination and control over joint activities, and prevent possible conflicts of authority or duplication of functions.

Such an approach would also contribute to the effectiveness and legality of security measures, particularly in settlements located within combat or de-occupied zones, where cooperation between police officers and territorial defense units is critical. Establishing a clear legal framework for this interaction would promote discipline, accountability, and the protection of citizens' rights while maintaining a consistent and organized public security system under martial law conditions [4, p. 44].

Regarding the maintenance of public safety and order, the Resolution of the Cabinet of Ministers of Ukraine «On the introduction and implementation of certain measures of the legal regime of martial law» approved the Procedure for implementing measures during the imposition of curfew and establishment of special blackout regimes in areas under martial law [5].

According to this Procedure, checkpoints and patrols are established in such territories - not only by patrol police officers but also by members of the Armed Forces, the National Guard, and the State Border Guard Service, who perform duties along routes determined by the local commandant. These patrols are vested with a number of important powers during the curfew period, as defined by the Procedure [1, p. 97].

Thus, during martial law, the National Police of Ukraine functions not only as a civil law enforcement body but also performs paramilitary tasks aimed at protecting national security. Police officers cooperate with the Armed Forces, National Guard, and territorial defense units to maintain public safety, law, and order in conditions of armed conflict. Legal acts such as the Law of Ukraine «On the Legal Regime of Martial Law» (2015) and Cabinet Resolution № 573 (2020) define their expanded powers, including activities at checkpoints, during curfews, and in counter-sabotage operations.

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CONSTITUTIONAL AND LEGAL LIMITS ON THE RESTRICTION OF HUMAN RIGHTS AND FREEDOMS DURING POLICE MEASURES UNDER MARTIAL LAW

The introduction of Martial law in Ukraine, caused by the full-scale armed aggression of Russia, has changed the previously stable balance between ensuring public security and protecting individual rights. The National Police, as one of the key bodies of the security sector, has received significantly expanded powers, particularly regarding document checks, inspections of belongings, vehicles and housing, as well as the implementation of counter-sabotage and filtration measures. At the same time, such a concentration of powers, although necessary, inevitably creates risks of excessive restriction of