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RESULTS OF THE ANALYSIS OF THE BORDER SECURITY ENVIRONMENT IN THE CONTEXT OF INTEGRATED MANAGEMENT OF THE STATE BORDER OF UKRAINE

The article substantiates the need for scientific research in the field of integrated management of Ukraine's state border (hereinafter – IBM), with the aim of creating methodological tools, practical recommendations, draft regulatory documents, and technical solutions for assessing and ensuring the legal, organizational, semantic, and technical interoperability of Ukraine's border security system with a similar system in the European Union (hereinafter – EU). The study should be conducted in the context of compliance with pan-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 Ukraine's security environment and respect for recognized human rights.

Key words: *risk analysis, integrated border management of Ukraine, national security of Ukraine, capability assessment, border security environment, Strategy for Integrated Border Management of Ukraine.*

Statement of the problem. Due to the expiration of the term of implementation of the Integrated Border Management Strategy of Ukraine [1] and the second medium-term Action Plan for 2023–2025 for the implementation of the Integrated Border Management Strategy for the period until 2025 (hereinafter – Action Plan for 2023–2025) [2], there is a need to develop and implement a new strategic planning document that will be in line with the current situation at the state border of Ukraine and in areas of combat operations, take into account current and potential threats, ensure the development of capabilities and improve the effectiveness of the State Border Guard Service of Ukraine (hereinafter referred – SBGS) and other IBMS entities in ensuring the inviolability of our state's border and protecting its sovereign rights in the adjacent and exclusive (maritime) economic zones. This document aims to improve the efficiency of the management of the external borders of the EU and its associated members in accordance with the objectives set out in EU Council Decision 30/2023 of 20.09.2023 on the adoption of the Technical and Operational Strategy for European Integrated Border Management for 2023–2027 [3], Regulations (EU) No. 1052/2013 of the European Parliament and of the Council of 22 October 2013 and No. 2019/1896 of 13 November 2019 [4, 5].

According to the Action Plan for the implementation of the Comprehensive Strategic Plan for the Reform of Law Enforcement Agencies as part of Ukraine's Security and Defense Sector for 2023–2027 [6], the development of a new IUDK Strategy is scheduled for 2025.

In addition, in connection with the implementation in the EU of a new approach – a multi-annual strategic policy cycle for integrated border management, defined by Regulation (EU) of the European Parliament and of the Council [7] and the adoption of Decision 30/2023 of the European Union Council on 20. 09.2023 on the adoption of the Technical and Operational Strategy for European Border Management for 2023–2027 [3], there is a need to synchronize and adapt the IBM Strategy in line with the European one.

Analysis of recent research and publications. A number of works by both domestic and foreign scholars are devoted to the issue of IBM. The interrelations between IBM and border policy, border activities, and border security were studied by Mykola Lytvyn [8]. Scientific and practical approaches to the automation of information cooperation processes in integrated border management were considered by Andriy Vikhtyuk [9], while a method for strategic management of the development of Ukraine's border security environment was proposed by Igor Levadny, Oleg Borovik, Dmytro Kuprienko, and Anatoli Mysyk [10].

An analysis of the above-mentioned works allows us to conclude that the issues of the IBM are sufficiently broad and well-studied. However, given that the goal of further development of the SBGS is to minimize threats to Ukraine's border security, ensure the implementation of the state's strategic course towards full

membership in the EU and NATO, and strengthen the role of the SBGS in countering cross-border and transnational crime, we focus on the development of a strategic planning document capable of covering and ensuring the effective functioning of border and maritime surveillance systems and situational awareness for the purpose of making high-quality decisions to counter threats to Ukraine's border security, interoperable with similar EU systems.

The purpose of the article is to describe Ukraine's security environment and analysis of threats to its border security with a view to further developing a new IBM Strategy that is interoperable with relevant EU documents.

Summary of the main material. The socio-political and security situation in Ukraine is shaped by external and internal factors and threats, with the armed aggression of the russian federation (hereinafter – rf) against Ukraine being of paramount importance, as a result, control over a significant part of Ukraine's state border and maritime areas has been temporarily lost, and border infrastructure, engineering structures, transport, and information communications have been put out of action.

In order to prevent Ukraine from joining the EU and the North Atlantic Treaty Organization (hereinafter – NATO), the rf leadership is using a multi-vector approach, in particular, attempting to:

– exacerbate the socio-political situation and change the government in Ukraine;

– persuade Ukraine to surrender completely and unconditionally on terms favorable to the rf;

– undermine the pro-Ukrainian international coalition with the help of Western pro-russian political forces in order to reduce political, military, financial, and humanitarian support and post-war reconstruction of Ukraine;

– actively use international platforms and the information space of Western countries both to justify its aggressive actions on the territory of Ukraine and to influence the course of electoral processes in these countries;

– divert the attention of the international community from Ukraine and reduce the military resources of Western countries by escalating conflicts in Africa and the Middle East;

– put pressure on the international community by resorting to oil, gas, nuclear, and other forms of blackmail.

Identification and assessment of threats. Currently, the main threats to border security are:

‒ military and terrorist threats;

‒ disruption of the regularity of border traffic;

‒ illegal crossing of the state border by Ukrainian citizens;

‒ illegal migration;

‒ smuggling of weapons, ammunition, and explosives;

‒ smuggling of drugs, psychotropic substances, and precursors;

‒ illegal movement of goods, cultural property, and vehicles.

Let us examine the most influential threats in more detail.

Military and terrorist threats. As a result of russia's armed aggression, control over 985.5 km of the state border has been lost, and 111 (out of 235 existing) border crossing/control points with russia, belarus, and the central section with the Republic of Moldova, as well as sea and air channels, have been closed. The ports of the Sea of Azov have been blocked. Civil aviation flights in Ukrainian airspace have been banned.

In the context of armed aggression by the rf, the terrorist threat remains relevant. In the areas captured by the enemy, criminal attempts to integrate the temporarily occupied territory of Ukraine (hereinafter - TOT of Ukraine) into the political, economic, legal, information, and educational space of the rf continue. Occupation administrations have been formed, forcing Ukrainian citizens in the TOT to acquire russian citizenship, obtain documents confirming it, resettle Ukrainian citizens, and kidnap and deport Ukrainian children to remote regions of the rf. The enemy has created a network of filtration camps and is forcibly mobilizing residents of the TOT of Ukraine into the ranks of the Russian armed forces. The repression is accompanied by intensified anti-Ukrainian propaganda, the introduction of the russian ruble, and the disconnection of Ukrainian television and radio broadcasting, cellular and Internet networks.

In 2020–2024, according to the Office of the Prosecutor General, criminal offenses against public safety were recorded, in particular under:

article 258 of the Criminal Code of Ukraine, terrorist act – 957 cases;

article 258 of the Criminal Code of Ukraine, terrorist act – 957 criminal offenses, of which 32 were referred

to court;

article 258-3 of the Criminal Code, creation of a terrorist group or terrorist organization – 520 criminal offenses, of which 239 were referred to court;

article 258-5 of the Criminal Code, financing of terrorism – 140 criminal offenses, of which 4 were referred to court;

article 259 of the Criminal Code, knowingly false reporting of a threat to the safety of citizens, destruction or damage to property – 5,526 criminal offenses, of which 606 were referred to court;

article 260 of the Criminal Code, creation of paramilitary or armed formations not provided for by law – 1,026 criminal offenses, of which 498 were referred to court.

The dynamics of the results of combating these criminal offenses are shown in figure 1 [11].
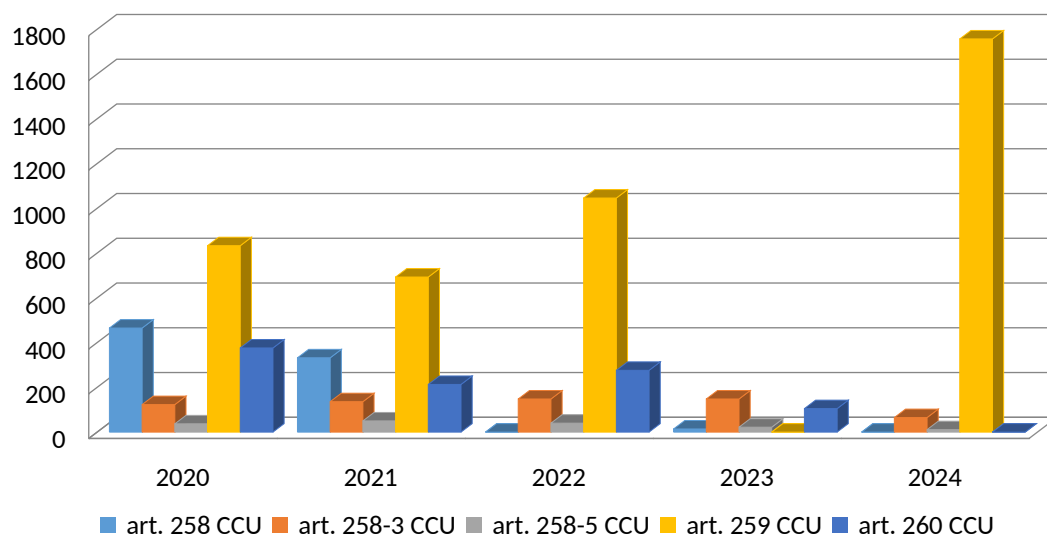

Figure 1 – Results of counterterrorism efforts, in recorded criminal offenses

Based on the analysis, the level of military and terrorist threats is high and tends to increase.

Disruption of border traffic rhythms. After February 24, 2022, with the start of full-scale armed aggression by the rf, there was a massive exodus of people abroad, which led to a significant increase in traffic at open border crossings with EU member states and the Republic of Moldova.

After a certain stabilization of the situation in Ukraine, border traffic has remained steady. At the same time, there has been an increase in passenger traffic entering Ukraine. There were disruptions to the rhythm of transport traffic due to protests by farmers and truckers aimed at blocking the entry of Ukrainian agricultural products into the territory of the Republic of Poland and other EU member states. These protests lasted from the end of November 2023 to the end of April 2024. The influence of the rf was observed in these actions.

In addition, there is an urgent need to continue technical re-equipment, digitization, and simplification of customs, border, and other official control procedures at BCPs, as well as to ensure the development of information exchange between neighboring parties.

The State Border Service, together with the border agencies of neighboring countries, has organized priority passage across the state border for strategically important cargo, the clearance of ships under the "grain initiative," and vehicles carrying humanitarian aid. Measures were taken to minimize queues at BCPs by implementing the pilot project "Electronic Queue," and a special corridor was created for the return of empty freight vehicles to the EU. The dynamics of border traffic are shown in Figure 2 [11].

Illegal migration. A wide range of threats to border security affects migration processes in Ukraine, which is located at the crossroads between East and West and has historically been actively used for illegal migration. At the same time, it should be noted that Ukraine is not only a transit country but also a kind of barrier that restrains the flow of migrants with irregular status heading to Europe.
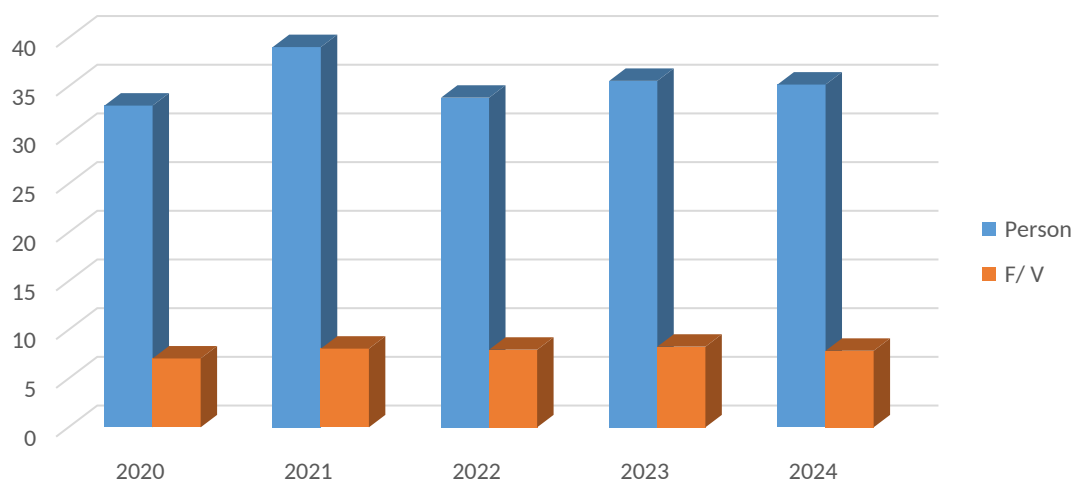
Figure 2 – Dynamics of border traffic (million)

According to FRONTEX Agency data, Ukraine was not a country that created migration pressure on the EU's external borders in 2021. Thus, in 2020–2021, the SBGS detained 2,604 illegal migrants at the border with EU member states, which is 0.8% of the total number of migrants detained at the EU's external borders during this period – 328,429 people [11] (Figure 3).
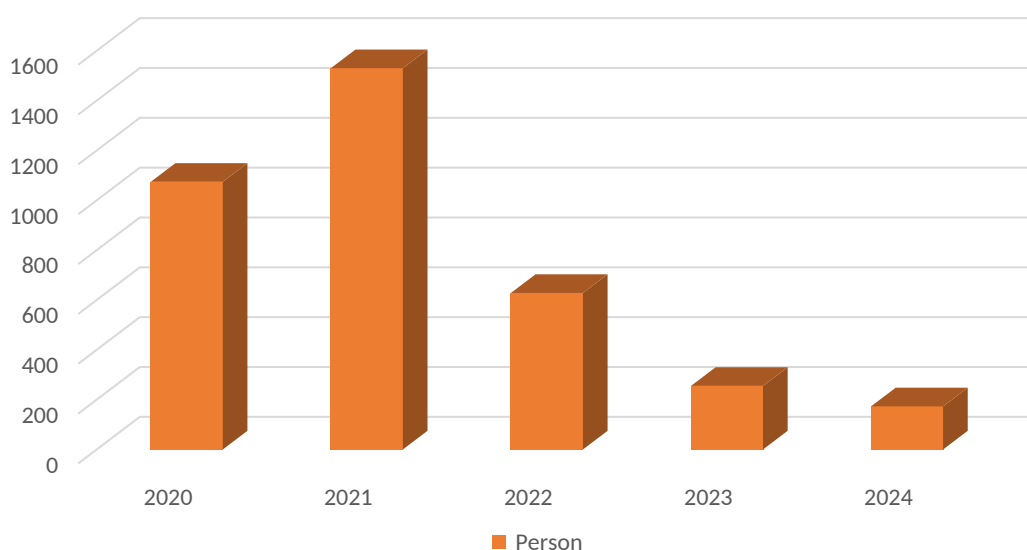

Figure 3 – Detention of illegal migrants at the EU's external borders

Due to active european integration processes, Ukraine has come to be viewed by illegal migrants as a destination country for settlement. Thus, in 2020–2024, 65,523 persons were detected by the state border guard authorities and units of the State migration service of Ukraine (hereinafter – SMS) for violating the rules of stay in Ukraine.

With the start of the armed aggression of the rf, the entry of illegal migrants into Ukraine and their transit to EU countries has almost ceased. This is due to the closure of border crossing points with the rf, air and sea transport channels, which were mainly used by illegal migrants.

Given the current situation at the state border, the threat of illegal migration can be considered insignificant. However, once the border crossing points resume functioning, the threat of illegal transit migration of foreigners to EU member states will gradually increase to a moderate level in the medium term. In addition, it should be taken into account that in the event of internal conflicts in the rf, a significant flow of migrants to Ukraine can be expected. Under such conditions, the threat level may be high.

Illegal crossing of the state border by citizens of Ukraine. In 2020–2021, citizens of Ukraine violated the

state border mainly for the purpose of illegally transporting goods, primarily excisable goods, outside of checkpoints to EU countries.

In connection with the introduction of martial law in 2022 and the announcement of general mobilization, there have been active attempts by male citizens of Ukraine aged 18–60 to illegally cross the state border from Ukraine in order to evade conscription into military service. The majority of offences (91%) are attempts to illegally cross the state border into EU member states and the Republic of Moldova outside of BCPs.

Since February 24, 2022, the SBGS has detained 42,983 male citizens of Ukraine aged 18-60, of whom: 3,829 at BCPs and 39,163 outside BCPs, including 23,024 at the state border and 16,139 at blocks/control posts.

Table 1 – Number of detentions for illegal crossing of the state border by male citizens of Ukraine aged 18–60

Section of the border	In total			Including					
				in BCP's			outside the BCP's		
	2023	2024	from 24.02.2022	2023	2024	from 24.02.2022	2023	2024	from 24.02.2022
Polish	461	467	2027	216	139	1190	245	328	837
Slovakian	805	2210	3839	73	26	503	732	2184	3336
Hungarian	1036	2412	4135	197	51	577	839	2361	3558
Romanian	3106	11256	16945	128	81	680	2978	11175	16265
Moldavian	3286	8035	15208	179	149	874	3107	7886	14334
russian	14	2	148	-	-	-	14	2	148
Byelorussian	4	326	380	-	-	-	4	326	380
Maritime	29	1	59	-	1	1	29	-	58
Aat the control post	98	-	242	-	-	3	98	-	239
In total:	8839	24709	42983	793	447	3828	8046	24262	39155

The situation regarding violations of the state border by male citizens of Ukraine aged 18–60 will remain tense until the end of martial law, and the threat of illegal border crossings can be considered high. If martial law is lifted and restrictions on leaving Ukraine are abolished in the medium term, such a threat will no longer be relevant.

Smuggling of weapons, ammunition, and explosives. During 2020–2021, despite the ongoing hybrid phase of Russia's aggression against Ukraine, the threat level of smuggling weapons, ammunition, and explosives across the state border was characterized as moderate.

With the start of full-scale armed aggression by the rf against Ukraine, there was an increase in the illegal storage of weapons, primarily firearms, among the population, both for the protection of personal and state interests and for the commission of crimes.

According to the National Police, between 2020 and 2024, investigative units registered 21,294 criminal offenses related to the illegal use of weapons (Part 1 of Articles 263 and 263-1 of the Criminal Code of Ukraine), and 18,010 crimes were solved. Among the border regions, the largest number of crimes were registered in the Kharkiv (392), Donetsk (336), and Odesa (232) regions.

Particular attention was paid to the issue of the aggressor state systematically spreading disinformation in the information space of the partner countries of Ukraine regarding the misuse and resale (so-called "re-export") of military aid, which could have a negative impact on the national security of EU countries.

This information has no factual basis, as no stable channels for smuggling weapons and ammunition across the state border have been identified, and attempts to move them illegally have been isolated. During transportation across the state border, cold, pneumatic, and electric shock weapons were mainly found in the structural niches of the passenger compartment and luggage compartments of vehicles without any signs of concealment. The main reason for committing the offense remains the ignorance of individuals regarding the rules for transporting weapons and ammunition across the state border.

Table 2 – Criminal cases have been initiated (part 1 of article 263, 263-1 of the CCU)

	2020	2021	changes	2022	changes	2023	changes	2024	changes	In total
Total number of criminal cases	4 222	3 274	-22%	3 912	+19%	4 840	+24%	5 046	+4%	21 294
Crimes solved	3 607	3 004	+20%	2 960	-18%	4 110	+39%	4 329	+5%	18 010

In addition, the forecast for the implementation and development of threats from organized groups and/or criminal organizations should be taken into account, in accordance with the SOCTA Ukraine assessment system.

The most likely development of the situation, according to the Draft Strategy for the Integrated Border Management of Ukraine [11], is the implementation of a criminological scenario of turbulent crime development, which involves a wave-like transformation of crime over short periods of time. Under this scenario, a real medium-term crime growth rate of 25–30% is expected, as well as a rapid reproduction (intensification) of both overall crime and specific types of crime within its structure.

If the russian's military aggression against Ukraine continues, it is likely that there will be an increase in the smuggling of cultural property from Ukrainian museum collections located in areas of active combat operations and temporarily occupied territories, as well as cultural heritage items stolen from private collections as a result of combat operations.

Conclusions

In the context of the analysis of threats and risks in the sphere of border security and the justification of the need for further development of the IBM, the material presented in the article reflects a consistent scientific approach that covers the formulation of the problem, the definition of the research objective, and a detailed analysis of the current security environment.

A description of the security environment is provided, where the dominant threat is armed aggression by the rf, which affects both the loss of control over part of the state border and adjacent territories (water areas) and the rf's attempts to prevent Ukraine's accession to the eu and NATO.

The need for further scientific research in the field of IBM is justified, due to the completion of the current IBM Strategy for the period up to 2025 and the need to develop a new document that should be synchronized and adapted in accordance with the European multi-year cycle of strategic policy of the European IBM and the Technical and Operational Strategy of the European IBM for 2023–2027.

Areas for further research on the topic of the article are related to conducting a large-scale study with the aim of creating a theoretical and methodological basis and instrumental tools for it to assess and ensure the interoperability of the Ukrainian and European border security systems, based on four critical levels: legal, organizational, semantic, and technical.

Future research will focus on developing the capabilities of Ukraine's IBMS entities, improving the effectiveness of external border management with the EU, and supporting Ukraine's strategic course towards full membership in the EU and NATO.

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РЕЗУЛЬТАТИ АНАЛІЗУ ПРИКОРДОННОГО БЕЗПЕКОВОГО СЕРЕДОВИЩА У КОНТЕКСТІ ІНТЕГРОВАНОГО УПРАВЛІННЯ ДЕРЖАВНИМ КОРДОНОМ УКРАЇНИ

У статті обґрунтовано необхідність проведення наукових досліджень у сфері інтегрованого управління державним кордоном України (далі – ІУДК) з метою створення методологічних інструментальних засобів, практичних рекомендацій, проєктів нормативних документів та технічних рішень для оцінювання та забезпечення правової (юридичної), організаційної, семантичної і технічної інтероперабельності системи забезпечення прикордонної безпеки України з аналогічною системою Європейського Союзу (далі – ЄС). Обумовлене дослідження повинно бути проведено в контексті набуття відповідності вимогам загальноєвропейських безпекових стандартів (зокрема пріоритетам Європейської прикордонної і берегової охорони та її Агентства Фронтекс), з урахуванням диференційованих умов безпекового середовища України та дотримання визнаних прав людини.

Варто зазначити, що ключовим питаннями є розвиток спроможностей і підвищення ефективності діяльності Державної прикордонної служби України та інших суб'єктів ІУДК щодо забезпечення його недоторканності та охорони суверенних прав нашої країни в її прилеглій та

виключній (морській) економічній зонах, з одночасним підвищенням ефективності управління зовнішніми кордонами ЄС та асоційованих його членів відповідно до цілей, визначених документами стратегічного планування.

На початковому етапі опрацювання Стратегії ІУДК виникає необхідність проведення аналізу безпекового середовища України, так як саме безпекове середовище має прямий вплив на діяльність всіх суб'єктів ІУДК. Також необхідно провести аналіз стану ІУДК з метою визначення та оцінювання рівня ефективності такого управління з урахуванням актуальних і потенційних загроз у прикордонній безпеці, стану впровадження стратегічних цілей розвитку та очікуваних результатів їх досягнення з урахуванням компонентів європейського ІУДК.

Ключові слова: аналіз ризиків, інтегроване управління державним кордоном України, національна безпека України, оцінка спроможностей, прикордонне безпекове середовище, Стратегія інтегрованого управління державним кордоном України.

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