

## ТЕОРЕТИКО-ПРАВОВІ ЗАСАДИ РОЗВИТКУ СИСТЕМИ СТРАТЕГІЧНИХ КОМУНІКАЦІЙ СЕКТОРУ БЕЗПЕКИ І ОБОРОНИ

**Анотація.** Дослідження проблеми правового регулювання суспільних відносин у сфері стратегічних комунікацій в умовах розвитку інформаційних технологій та поширення негативних інформаційних впливів на людину і суспільство є вкрай актуальною темою та потребує комплексного наукового опрацювання. Автор поставив за мету проаналізувати теоретичні, історичні та правові засади становлення системи стратегічних комунікацій сектору безпеки і оборони України та відповідного досвіду США, Великої Британії та інших країн-членів ЄС і НАТО. У роботі із застосуванням загальнонаукових і спеціальних методів наукового пізнання (діалектичного, історичного, системного аналізу та ін.) розглянуто правові засади формування та пріоритетні напрями розвитку системи стратегічних комунікацій сектору безпеки і оборони в умовах гібридної війни та євроатлантичної інтеграції України. Зроблено висновок, що правове регулювання суспільних відносин у цій сфері в Україні перебуває на етапі формування, а спеціальне законодавство з питань розбудови національної системи стратегічних комунікацій, організації управління і контролю та діяльності суб'єктів цієї системи потребує належного опрацювання з урахуванням досвіду країн-членів НАТО. За результатами дослідження: 1) сформульовано ключові загрози національної та міжнародної безпеки в інформаційній сфері; 2) визначено основні чинники, які впливають на розбудову системи стратегічних комунікацій, та складові вказаної системи (публічна дипломатія і заходи, спрямовані на просування цілей держави; зв'язки з громадськістю та військові зв'язки; інформаційні та психологічні операції); 3) уточнено складові системи управління та координації діяльності у сфері стратегічних комунікацій; 4) запропоновано модель побудови національної системи стратегічних комунікацій, наведено юридичне визначення суб'єктів цієї системи, їхніх завдань і функцій, організації взаємодії та міжнародного співробітництва.

**Ключові слова:** національна оборона, персональні дані, конфіденційність, євроатлантична інтеграція, міжнародні відносини.

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## THEORETICAL AND LEGAL BASIS FOR THE SECURITY AND DEFENSE STRATEGIC COMMUNICATIONS SYSTEM DEVELOPMENT

**Abstract.** Research of the problem of legal regulation of public relations in the field of strategic communications in the conditions of development of information technologies and dissemination of negative information influences on the person and the society is extremely relevant and de-

*mands a complex scientific study. The author aims to analyse the theoretical, historical and legal foundations of the becoming of the strategic communications system of the security and defense sector of Ukraine and the relevant practices of the United States, Great Britain and other EU and NATO Member States. The paper considers the legal grounds of formation and priority directions security and defence strategic communications system development in the conditions of hybrid war and Euro-Atlantic integration of Ukraine, with application of general and special scientific research methods (dialectical, historical, system analysis, etc.). It is concluded that the legal regulation of public relations in this field in Ukraine is in the formation stage, and the special legislation on the development of the national system of strategic communications, organization of management and control and activity of the subjects of this system needs proper elaboration with consideration of practices of NATO Member Countries. According to the results of the research: 1) the key threats to national and international security in the information sphere are worded; 2) the main factors influencing the development of the strategic communications system and the components of the said system (public diplomacy and measures aimed at promoting the state goals; public relations and military relations; information and psychological operations) are identified; 3) the components of the system of management and coordination of activities in the field of strategic communications are specified; 4) the model of construction of the national strategic communications system is proposed, the legal definition of the subjects of this system, their tasks and functions, organization of interaction and international cooperation are provided.*

**Keywords:** national defence, personal data, confidentiality, Euro-Atlantic integration, international relations.

## INTRODUCTION

The problem of legal regulation of public relations in the field of strategic communications is quite new for Ukraine and demands systematic consideration. Therefore, let us first consider how the concepts of “communication” and “strategic communication” are applied in the modern context. Currently, communication touches practically all facets of human being, society and state – political, financial, economic, social, cultural, educational, security, etc. Even a peek into the ongoing social transformations reveals the rapid development of communication processes. Changes in communication transform the world and its integrity. The term “communication” (from Latin *communicare*) means information, transmission, conversation, exchange of thoughts, data, ideas, that is – a specific form of interaction of people in the process of their life.

There is a number of different approaches to defining the concept of “communication”, in particular: a mechanism by which the existence and development of human relationships, including all thinking symbols, the means of transmitting them in space, and the preservation of time, are ensured; exchange of information between complex dynamic systems and their parts that are able to receive information, to accumulate it, to transform; social integration of individuals through language or signs, establishment of meaningful sets of rules for different purposeful activities; information connection of the subject with a certain object – human, animal, machine.

According to our opinion, communication should be understood as a form of information exchange between the social structure subjects to reach their potential, and the totality of means intended for this purpose – as systems (means) of communication [1–4].

The issue of strategic communications has become popular in recent decades. Until recently, it has been considered mainly in the political, military, scientific and commercial circles of the United States and several other countries. Since the beginning of the 21st century, the concept of “*strategic communications*” has been increasingly used in legal documents in Ukraine.

Scientists have started to draw more attention to the term of “strategic communications” since 2001, following the “*Report of the Defense Science Board Task Force on Managed Information Dissemination*” by Vincent Vitto, chairman of the Defense Scientific Council (Federal Advisory Committee for Independent Advice to the US Secretary of Defense). This report suggested that *sophisticated strategic communications* could define the agenda and create a context conducive to political, economic and military goals. Despite the repeated reference to the specified term, its definition was not mentioned in the report. However, it was noted that the requirements for government communications during natural disasters, pre-crisis states, and hostilities differ significantly from the requirements for *long-term strategic communications* [5].

Thus, as S.G. Solovyov points out, the important difference between strategic communications and other similar activities and processes is outlined here – *long-termness*, i.e. focus on the long-term result. Accordingly, strategic tools and means must be put in place to achieve the specified goals, which facilitate the gradual and systematic influence on the recipients' beliefs [6].

In the socio-humanistic science, as the analysis displays, there is a number of attempts to conceptualize the phenomenon of strategic communications. At the same time, there are practically no scientific developments that would provide a holistic vision of this phenomenon at the level of theoretical and legal generalization.

Modern domestic science assumes that *strategic communication* is the process that underpins national security efforts and the realization of national interests, including in the information sphere. Subjects of strategic communications and other activities are involved in this process. Another interesting opinion belongs to Daniel Gage, who understands strategic communication as a process of synchronizing actions, images and words in order to achieve the desired effect [7]. In general, it should be noted that modern information technologies, systems and networks penetrate into all activities of people, society, state and international community. Information is increasingly affecting people and society, and the use of information and information technology is becoming increasingly important upon resolving internal, interstate and international conflicts [8–12].

The development of information and communication technologies has fundamentally changed the principles and methods of governance, leading to revolutionary

changes in the field of international relations, in military affairs and modes of warfare. Consequentially, it is now possible to achieve the victory in a military conflict through purposeful informational influences on the population of another state or to seize its territory without the use of military force, including by application of the components of the strategic communications system.

## **1. MATERIALS AND METHODS**

The research is based on materials regarding scientific achievements of foreign and domestic scientists, the results of the analysis of historical patterns and tendencies in the formation of strategic communication systems in Ukraine and NATO Member States. In the context of the above, the scientific advances that highlight the political and legal vision and practices of the becoming of strategic communications in the USA and the United Kingdom are of particular interest. To analyse the processes and problematics associated with the formation of strategic communications in Ukraine, the scientific achievements of a number of national scientists were studied, as well as relevant legislative acts concerning the field of information and security and defence sector of the Ukraine.

The methodological basis of the study is a set of methods and techniques of scientific research – general and special: dialectical, historical, system analysis, systematic and structural, comparative law. The leading is the general scientific dialectical method of research of the processes of formation and development of strategic communications of the security and defence sector in the EU and NATO Member States and in Ukraine. The historical method facilitated coverage of the prerequisites and processes for the formation of the conceptual apparatus and components of the strategic communication system in the late 20<sup>th</sup> – early 21<sup>st</sup> century.

The system analysis method allowed to systemize the major challenges and threats to national and international security in the information field and to identify key factors that influenced the development of the strategic communications system. The application of the system-structural method contributed to the development of a model for building a strategic communications system in Ukraine, defining its structural elements, as well as the objectives of the relevant state authorities and subjects of the security and defence sector.

Application of the comparative law method resulted in identification of systemic issues and priorities for the development of legislation on information and security and defence issues in the context of development of a national strategic communications system in accordance with standards of the EU and NATO Member States.

## **2. RESULTS AND DISCUSSION**

Due to the rapid development of the information sphere and total informatization of the society in the development of international relations between the countries, significant changes are also taking place in connection with the latest developments in the field of information and communication technologies.

It is no accident that at the beginning of the 21<sup>st</sup> century, first in the USA, and then in a number of other countries of the world, new approaches to addressing the role of mass communications in national policy started emerging, which were specifically embodied in the concept of “strategic communications”. As a number of researchers rightly points out, in particular [13–16], factors of extremely rapid development of strategic communications are the following: rapid development of informatization; increasing role of information warfare to achieve politico-military and economic goals; increasing number of forceful (armed) conflicts in the world; spreading of terrorist activity; formation of new national strategies of modern states; adjusting and changing the image of countries in the international arena; emergence and development of new forms of diplomacy (public diplomacy, cyber diplomacy, etc.).

As previously noted, the term “strategic communications” in its modern sense first appeared in US military community in 2001 [17; 18]. However, it has been used in official US documents since 2006. According to K. Vynohradova, the term “strategic communications” was interpreted as focused US efforts, directed at understanding the specifics of target audiences and cooperation with them for the US government to create, strengthen and preserve favourable conditions for the promotion of national interests and goals through coordinated information, integrated plans, comprehensive plans, action programs and synchronization with other elements of national power [19]. At the beginning of the 21<sup>st</sup> century, strategic communications have also become widespread in the United Kingdom, where military structures of the country are being actively developed and implemented. The United Kingdom is convinced that strategic communications must work to advance national interests by using all types of defence to influence the behaviour of target audiences [20; 21].

In general, strategic communications, according to British experts' opinions, should provide a decisive contribution to the development and implementation of a national strategy that is understood to be the set of ideas, preferences and methods explaining the activity (diplomatic, economic or military) and leading it to the goal. At present, strategic communication is also being actively studied and developed in the EU and NATO Member States, the PRC and the Russian Federation.

### *2.1 Legal bases of formation of strategic communications system in Ukraine*

For the first time in Ukraine, the term strategic communication was used in the preamble to the Agreement between the Government of Ukraine and the North Atlantic Treaty Organization on the Status of NATO Delegation to Ukraine, signed on 22.09.2015 and ratified by Law No. 989-VIII dated 04.02.2016<sup>1</sup>. In general, it is a programmatic document on the development of international legal relations between Ukraine and NATO, which does not directly address the issue of forming and developing a strategic communications system.

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<sup>1</sup> Decree of the President of Ukraine “On the Doctrine of Information Security of Ukraine”. (2017, February). Retrieved from <https://zakon.rada.gov.ua/laws/show/47/2017>

Understanding of the concept of “strategic communication” in the NATO system is considered as a determined effort to identify and develop target audiences for the establishment, development and preservation of national (government) interests, policies and goals through the use of coordinated programs, plans, topics, messages and products, synchronized with all the actions and tools implemented by the authorities [22].

In Ukraine, the concept of “strategic communications” was first defined in paragraph 4 of Presidential Decree No. 555/2015 dated September 24, 2015<sup>1</sup> on the new version of the Military Doctrine of Ukraine as a coordinated and appropriate use of the state's communication capabilities – public diplomacy, public relations, military communications, information and psychological operations, activities aimed at promoting the goals of the state. According to this act, strategic communications are considered as the basis of crisis response to military threats and the prevention of escalation of military conflicts.

In general, the Military Doctrine of Ukraine for the first time legally defines: a) the definition of the term “strategic communications”; b) the scope of strategic communications in the activities of state authorities and subjects of the security and defence sector; c) the need for an effective strategic communications system in the security and defence sector; d) the need to develop a unified communications strategy in the security and defence sector and to identify a state authority responsible for coordination and control in this area.

The term “strategic communications”, cited in the Military Doctrine, was also introduced in the Doctrine of Information Security of Ukraine, approved by Presidential Decree No. 47/2017 dated 25.02.2017<sup>2</sup>. At the same time, this Doctrine defines the term “strategic narrative” as a specially prepared text intended to be verbally narrated in the strategic communications process for informational influence on the target audience.

That is, “strategic communications” in this case can also be understood as a certain process, namely: the process of presenting the “strategic narrative”, which is performed for informational influence on the target audience.

In accordance with Section 3 of the said Doctrine, the development of the strategic communications system of Ukraine is classified as vital interests of society and the state as a component of national interests in the information field.

Furthermore, “building an effective and efficient strategic communications system” in accordance with para. 1 Section 5 refers to national policy priorities in the information field regarding the assurance of information security.

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<sup>1</sup> Decree of the President of Ukraine “On the new version of the Military Doctrine of Ukraine”. (2015, September). Retrieved from <https://zakon.rada.gov.ua/laws/show/555/2015>

<sup>2</sup> Decree of the President of Ukraine “On the Doctrine of Information Security of Ukraine”. (2017, February). Retrieved from <https://zakon.rada.gov.ua/laws/show/47/2017>

The basic legislative acts in the field of strategic communications should also include the Annual National Programs under the auspices of the NATO – Ukraine Commission for 2017 and 2018, approved in accordance with the Decrees of the President of Ukraine No. 103/2017 dated 08.04.2017 and No. 89/2018 dated 28.03.2018 [18]. According to these documents, a number of measures were envisaged to develop the strategic communications system of the security and defense sector of Ukraine, namely:

- development of public diplomacy;
- development and implementation of the national strategy of Ukraine in the field of strategic communications;
- building strategic communications capabilities in national security and defence;
- creation of coordination interagency mechanism of information operations;
- development of a system of professional training of specialists in the field of strategic communications;
- intensifying interaction with partner countries in the information field and developing partnerships in strategic communications;
- providing the subjects of security and defence sector, in cooperation with NATO, with scientific, expert and practical materials on strategic communications;
- preparation of proposals regarding normalization of the strategic communications system, etc.

Comprehensive analysis of the legal bases for the formation and development of the strategic communications system of the security and defence sector in Ukraine enables such opinions and proposals to be made:

1) legal regulation of public relations in the field of strategic communications in Ukraine is currently at the stage of formation. Special legislation governing the key aspects of developing a national strategic communications system, the management and control organization and the activities of the subjects of this system needs to be elaborated, adopted and implemented with consideration of the experience of NATO Member States;

2) the conceptual and categorical apparatus in the field of strategic communications, implemented by current regulations, broadly complies with NATO documents, but requires systemization, clarification and proper legal definition. In particular, the use of various terms, such as “government strategic communications”, “state strategic communications”, “national strategic communications”, etc., is debatable. Strategic communications, as an integral part of the national security and defence system, as well as government communications or communications of other public authorities, should be clearly distinguished. They differ significantly in their goals, tasks, forms and methods of their implementation;

3) the definition of strategic communications as a coordinated and appropriate use of the state's communicative capabilities – public diplomacy, public relations, military relations, information and psychological operations, measures aimed at promoting the

goals of the state allows to distinguish the following basic components of strategic communications: a) public diplomacy and measures aimed at promoting the goals of the state; b) public relations and military relations (civil-military cooperation); c) information and psychological operations;

4) in seeking the role and place of strategic communications in the domestic law and legislation system, it is advisable to refer to national security and military law [23], especially since the field of "strategic communication" is directly identified (in NATO Member States) with the security and defence sector. The subject of regulation of public relations in terms of "national security and military law" may be: the legal basis and issues of national security and defence as one of the main functions of the state; the legal basis for the protection of state sovereignty, the constitutional order, the territorial integrity and inviolability of Ukraine's borders, the legal protection of state and military security and the state border security; issues of legislation and law in the field of national, collective and international security; system and state-legal mechanisms for ensuring national security and defence of Ukraine; statutory regulation of the activities of the subjects of the security and defence sector, military law enforcement and military justice bodies; legal issues of the implementation of the standards of the European Union Member States and the North Atlantic Treaty Organization into the legislation of Ukraine.

## *2.2 Priorities for the development of the strategic communications system of the security and defence sector in the context of hybrid war and Euro-Atlantic integration of Ukraine*

In recent years, the concept of "hybrid war" has become widespread and transcended the Russian-Ukrainian conflict, and a number of countries in the world have actually become parties to this confrontation using information, economic, energy, military and other components. In these circumstances, the problem of forming and developing a modern and effective strategic communications system for the security and defence sector, with consideration of the experience of NATO Member States, becomes extremely urgent for Ukraine.

It is noteworthy that in recent years (in the context of a hybrid war), EU and NATO Member States have paid particular attention to counteracting the use of information weapons and developing strategic communications in the security and defence sector, as evidenced by the chronology of a number of events and decisions adopted, namely [24]:

– in October 2007, the Enhancing NATO's Strategic Communications Directive was adopted, and in 2008 the strategic communications issue was included in the Alliance's policy document – the NATO Summit Declaration;

– in January 2014, the NATO Strategic Communications Centre of Excellence, or NATO StratCom COE was created. Its main objectives include coordination of NATO's strategic communications activities, exploring ways to emerge and disseminate infor-

mation threats, developing information counteraction techniques, and providing training for information and psychological operations;

– in March 2015, the Council of Europe established the East StratCom Task Force, or East StratCom, and decided to entrust the High Representative of the Council of Europe, together with the relevant European Union institutions and EU Member States, with the preparation of a Strategic Communications Action Plan;

– in March 2016, the Executive Office of the President of the United States and the US Department of State reformed and expanded units that handle strategic communications;

– in November 2016, the European Parliament adopted a resolution to counteract the propaganda of third countries, including the Russian Federation. In the resolution, in particular, the European Parliament acknowledged that the Russian government was aggressively using a range of means and tools to attack democratic values, to split Europe, to ensure support within the country and to create the impression of differences between the EU's Eastern Neighbourhood countries.

The specified Resolution also recommended that the EU combat propaganda more vigorously, without forgetting the principle of freedom of speech. She also recommended that the East StratCom Task Force be strengthened, transforming it into a full-fledged EU External Relations Service. In the context of the above, it should be noted that one of the key factors of the modern hybrid war, global and regional (sub-regional) confrontation is the field of information. Therefore, to effectively ensure the information security (as well as the development of a strategic communication system), the issues of combating information wars, cyberattacks and negative information and psychological impact on the individual, society and the state are extremely urgent. According to research performed [25–30], the following *key threats to national and international security in the information field* are now of utmost priority: global changes and transformations in the information field are creating the latest challenges that pose a real threat to human security and international law; along with the development of information and communication technologies there is a problem of unauthorized collection of personal data and violation of privacy of human life; there is a tendency in the information space to spread information aggression and violence, manipulation of consciousness of the person and the society, informational and psychological operations are being periodically performed; most countries in the world have encountered cyberespionage, cyberterrorism, cybercrime and cyberattacks on critical infrastructure; the consequences of using modern information weapons can lead to a real loss of state sovereignty and territorial integrity of the countries of the world. (The 2014 events of aggression against Ukraine clearly confirm this).

The level of modern challenges and threats in the information field confirms the validity and exceptional importance of the provisions of Art. 17 of the Constitution

of Ukraine<sup>1</sup> that information security is one of the main functions of the state and the matter of the entire Ukrainian nation (in the context of the said constitutional provision, cybersecurity should be considered as one of the components of information security). In general, according to our opinions, the national information policy and the information security system should be aimed at the effective protection of national security objects: human and citizen – their constitutional rights and freedoms; society – its spiritual, moral, ethical, cultural, historical, intellectual and other values; the state – its constitutional order, sovereignty, territorial integrity and inviolability. In the context of the emergence of an information society, national and global information space, an extremely important objective in the field of information and national security is also to create a *strategic communications system for the security and defence sector* and to improve it with consideration of the practices of NATO Member States, as discussed in the Ukraine Security and Defence Sector Development Concept (2016).

It appears to be appropriate to relate the following to the key factors in the formation of the national strategic communications system of the security and defence sector of Ukraine: principles of the national policy in the field of strategic communications as a component of the state information policy and the policy of information security assurance; principles of functioning of the strategic communications system; subjects of the security and defence sector as defined by legislation; basic directions of functioning of the strategic communications system of the security and defence sector. Let us consider these and other aspects more substantially.

*First.* National policy in general, including national information and information security policy, in accordance with the Constitution of Ukraine, is determined by the Verkhovna Rada of Ukraine. The central executive authorities and other state authorities, in cooperation with civil society, take part in its formation. Accordingly, the national policy in the field of strategic communications should be developed with the participation of the NSDC of Ukraine, the Ministry of Information Policy and the State Committee for Television and Radio-Broadcasting of Ukraine, the Ministry of Foreign Affairs of Ukraine, the Ministry of Defence of Ukraine, the Ministry of Internal Affairs of Ukraine, the Security Service of Ukraine and other subjects of the security and defence sector. According to our estimations, the national policy in this sphere should be considered as a component of the national information policy of Ukraine, and implemented by the legislatively defined subjects of the security and defence sector.

*Second.* The basic principles of functioning of the strategic communications system of the security and defence sector should include the following:

a) general principles: legitimacy, democracy, non-partisanship, integrity, decency, accountability and responsibility;

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<sup>1</sup> Constitution of Ukraine. (2019, February). Retrieved from <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80>

b) special principles: focus on the protection of national interests and national security objects – human, society and state; balance of human rights and freedoms and legitimate interests of society and the state; unity of approaches in the formation and implementation of measures in the field of strategic communications; scientific rigour, systematic approach to the formation and development of strategic communications of the subjects of the security and defence sector.

*Third.* In accordance with Part 1 of Art. 12 of the Law of Ukraine “On National Security of Ukraine”, the security and defence sector of Ukraine consists of four interconnected components: security forces; defence forces; military industrial complex; citizens and civil groups voluntarily involved in national security assurance.

In accordance with Part 2 of Art. 12 of this Law, the subjects of the security and defence sector include the following: Ministry of Defence of Ukraine, Armed Forces of Ukraine, State Special Transport Service, Ministry of Internal Affairs of Ukraine, National Guard of Ukraine, National Police of Ukraine, State Border Service of Ukraine, State Migration Service of Ukraine, State Emergency Service of Ukraine, Security Service of Ukraine, State Security Department of Ukraine, State Service for Special Communication and Information Protection of Ukraine, Office of the National Security Council Ukraine and Defence, intelligence agencies of Ukraine, central executive authority facilitating the formation and implementation of the national military-industrial policy. In accordance with Articles 106, 107 of the Constitution of Ukraine<sup>1</sup>, management in the fields of national security and defence of Ukraine is exercised by the President of Ukraine, and coordination – by the National Security and Defence Council of Ukraine. In consideration of the foregoing, the following list of subjects of the security and defence sector should be taken as the basis for the formation of the national strategic communications system.

*Fourth.* A meaningful analysis of the definition of "strategic communication" concept, provided by the statutory acts of Ukraine<sup>2</sup>, as well as the statements of the Strasbourg-Cologne meeting of the North Atlantic Council and the Heads of State and Governments of NATO Member States<sup>3</sup> make it possible to classify the functions of the strategic communications system by such major directions: public diplomacy and measures aimed at promoting the goals of the state; public relations and military relations (civil-military cooperation); information and psychological operations.

Under these conditions, the organizational design (model) of the strategic communications system of the security and defence sector may appear to take the following form:

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<sup>1</sup> Constitution of Ukraine. (2019, February). Retrieved from <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80>

<sup>2</sup> The Military Doctrine of Ukraine, approved by the Decree of the President of Ukraine. (2015, September). Retrieved from <https://www.president.gov.ua/documents/5552015-19443>

<sup>3</sup> The Strasbourg I Kehl Summit declaration. Retrieved from [https://www.nato.int/cps/en/natohq/news\\_52837.htm?mode=pressrelease](https://www.nato.int/cps/en/natohq/news_52837.htm?mode=pressrelease)

1. *General coordination and guidance* on matters of strategic communications in national security and defence, with consideration of the provisions of Art. 106 of the Constitution of Ukraine, which shall be implemented by the President of Ukraine and the NSDC. The implementation of this function may be entrusted to the Office of the NSDC of Ukraine or a specially created authority under the NSDC (for example, the National Coordination Centre on Strategic Communications). Accordingly, the role of National Coordinator on matters of NATO-Ukraine cooperation in the field of strategic communications may be assigned to one of the Deputy Secretaries of the NSDC;

2. Coordination and enforcement of the *function of public diplomacy and measures aimed at promoting the goals of the state* may be performed within the competence of the Ministry of Foreign Affairs of Ukraine and the Ministry of Information Policy of Ukraine, with the participation of other state bodies, non-governmental structures and public organizations. Organizational and other assurance of the implementation of the above may be performed by the corresponding units of the apparatus of the said ministries, as well as by the international liaison units of the central executive authorities and subjects of the security and defence sector;

3. *Public relations and military communications* should be performed by all actors in the security and defence sectors identified by law. With that, the Ministry of Defence of Ukraine may be responsible for coordinating military communications (military-civilian cooperation). The implementation of these objectives should be performed through the subjects of the security and defence sector, media and public relations units or through other units;

4. *Coordination, planning and conducting of information and psychological operations*, as the most "sensitive" sphere of strategic communications, requires complex involvement of organizational and legal, telecommunication, information, sociological, psychological, operational and other forces and means of the subjects of the security and defence sector and other state authorities and non-governmental organizations.

With regard to this matter, in the context of the provisions of the Law "On National Security of Ukraine", proposals concerning the pooling of relevant forces and resources of state and non-state subjects in the security sector for their coordinated practical engagement on these issues and possible creation of an appropriate interagency unit within the Security Service of Ukraine appear to be reasonable. At the same time, it would be worth considering the experience of legal regulation and functioning of another similar interagency association – the Anti-Terrorist Centre at the Security Service of Ukraine.

## CONCLUSIONS

Analysis of the current issues of the development of the situation in the political, legal, military and information fields, as well as tendencies of international events around Ukraine, allows to single out a range of theoretical and legal issues of the

formation and development of the strategic communications system of the security and defence sector of Ukraine, namely:

1. The system of national administration and coordination in the field of strategic communications is now being developed quite fragmentarily, without due consideration of the objectives, nature and content of this activity. The key issues in organizing strategic communications in the security and defence sector of Ukraine include: lack of a unified national policy, proper legal framework and a comprehensive system of strategic communications for the security and defence sector; scattered activities of the subjects of strategic communications, the necessity to introduce effective mechanisms for coordination of civil-military cooperation, information and psychological operations; inadequate level of professional training of persons involved in strategic communication functions, as well as lack of prepared personnel reserve for the deployment and development of the strategic communications system; the need to organize the development of legislative acts, analytical, methodological and scientific support in the strategic communications of the security and defence sector.

2. Priority directions for the formation and development of the strategic communications system of the security and defence sector of Ukraine should include: development of a modern model of the national system of strategic communications, legal definition of the subjects of this system, their main objectives, functions, powers, interaction and organization of international cooperation; clarification of the system of governance, coordination of activities and democratic control in the field of strategic communications; addressing issues related to the development of public relations of the subjects of the security and defence sector in the context of a hybrid war, the emergence of an information society and the introduction of the latest information and communication technologies; ensuring effective counteraction to informational and information and psychological operations to the detriment of the individual, society and the state; organization of training, retraining and advanced training of the personnel of the subjects of the security and defence sector, as well as adequate scientific and technical support in the field of strategic communications.

3. At the stage of development of the strategic communications system, a duly protection of rights, freedoms and security of the individual and citizen in the information field shall be provided, first of all, in order to reform the national system of personal data protection in accordance with the EU Data Protection Package, which came into force in May 2018 and implements the following basic principles of personal data management: legality, fairness, transparency, target limitation, minimization of data, accuracy, retention, integrity, privacy. The case law of the USA and other EU and NATO Member States on the definition of privacy torts should also be considered: intrusion upon seclusion – invasion of the "personal space" of the individual; publication of private facts; representation of and individual in a false light; use of someone else's name or image for lucrative purposes (appropriation).

In general, developing an effective strategic communications system can become a significant component of the security and defence sector and the protection of vital national interests of Ukraine.

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