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Secção I

Investigação Científica*

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Administrative-Law Status of National Security Agencies

Estatuto de Direito Administrativo das Agências de Segurança Nacional

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ABSTRACT: The article analyses the administrative-law approaches that regulate the activities of national security agencies with an emphasis on their ability to adapt to new challenges. The aim is to critically evaluate legal standards and organizational structures that determine the functions and responsibilities of national security agencies, as well as their impact on the overall security system. The research employs the methods of legal analysis, comparative research, and studies cases covering both regulatory and empirical approaches, as well as scenario modelling. The results of the study revealed significant differences in the legal framework of different countries and pointed to weak coordination between the main security services. Unlike the traditional approach, where administrative and legal aspects are considered separately, this study integrates these issues to better understand national security management. The conclusions emphasize the need to improve legal norms and strengthen interdepartmental cooperation in order to improve the effectiveness of security management. Prospects for further research include analysis of the impact of new technologies on administrative processes and legal regulations in the context of national security, with a special emphasis on increasing adaptability to modern threats.

KEYWORDS: security actors; administrative-law status; national security; national security agencies; national interests; legal regime.

RESUMO: O artigo analisa as abordagens de direito administrativo que regulam as actividades dos organismos de segurança nacional, com ênfase na sua capacidade de adaptação a novos desafios. O objetivo é avaliar criticamente as normas jurídicas e as estruturas organizacionais que determinam as funções e responsabilidades dos organismos de segurança nacional, bem como o seu impacto no sistema de segurança global. A investigação utiliza os métodos de análise jurídica, investigação comparativa e estudos de casos que abrangem abordagens regulamentares e empíricas, bem como a modelação de cenários. Os resultados do estudo revelaram diferenças significativas no quadro jurídico dos diferentes países e apontaram para uma fraca coordenação entre os principais serviços de segurança. Ao contrário da abordagem tradicional, em que os aspectos administrativos e jurídicos são considerados separadamente, este estudo integra estas questões para melhor compreender a gestão da segurança nacional. As

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conclusões sublinham a necessidade de melhorar as normas jurídicas e de reforçar a cooperação interdepartamental, a fim de melhorar a eficácia da gestão da segurança. As perspectivas de investigação futura incluem a análise do impacto das novas tecnologias nos processos administrativos e na regulamentação jurídica no contexto da segurança nacional, com especial ênfase na crescente adaptabilidade às ameaças modernas.

PALAVRAS-CHAVE: actores da segurança; estatuto de direito administrativo; segurança nacional; agências de segurança nacional; interesses nacionais; regime jurídico.

1. Introduction

Ensuring national security is the main task of every state, which requires the coordinated work of organizations whose functioning is based on a strong administrative-law system. Determining the roles and legal status of national security agencies is critical for maintaining stability, protecting state interests, and effectively countering modern threats in a global context.⁶ Despite the large number of studies, there are still significant gaps in the analysis of the administrative and legal aspects of the activities of these organizations, their functions, and interactions. Constant changes in the field of security, technological advances, and the evolution of international relations emphasize the need for a deeper study of the structure and management of national security agencies. The increasing complexity of global security challenges requires national security authorities to govern by an evolving global administrative law, where international cooperation, intelligence sharing, and legal accountability mechanisms play a central role in ensuring an effective response to threats.

One of the main problems is the uncertainty of coordination between various national security organizations, as well as legal conflicts that hinder their effective activities.⁷ Furthermore, there is a lack of research on the evolution of legislation in the context of contemporary threats such as cybercrime, cross-border crime, and hybrid warfare. A deep analysis of these aspects is necessary to improve national security systems and increase their readiness for new challenges.⁸ National security agencies operate not only in their own countries, but also in an

⁶ NATIONAL INITIATIVE FOR CYBERSECURITY CAREERS AND STUDIES. 2024. Available from https://niccs.cisa.gov/?gad_source=1&gbraid=0AAAAAqMDttBCu8HF7qOh-zO5kzJiG1hzV&qclid=CjwKCAjw5qC2BhB8EiwAvqa41swePMLVcxuodnjMNBW8yD84-sNXyKF_sRBMpfGe7JDgKaCloxHA0BoCKqoQAvD_BwE

⁷ LYTVYN, N., et al. Enforcement of court decisions as a social guarantee of protection of citizens rights and freedoms. *Prawo i Wiedz*, 2022, vol. 39, pp. 80-102. <https://doi.org/10.36128/prw.vi39.351>

⁸ NATIONAL SECURITY AND TERRORISM. 2024. Available from <https://www.rand.org/topics/national-security-and-terrorism.html>

increasingly interconnected world that requires adaptation to global governance schemes. The ideas expressed by Kingsbury⁹, Stewart¹⁰ and Cassese¹¹ provide valuable insights into the governance principles and the accountability of organizations in a global context. Their research emphasizes the importance of examining the administration of national security agencies in terms of local and international governance. This makes it likely that these institutions are linked to global legal frameworks. Kingsbury points out that national security agencies are increasingly embedded in global networks, where international agencies participate in defining their powers. Particular attention is paid to the accountability mechanisms in the system of global administrative law, which provide guarantees for the activities of agencies operating beyond national borders. Cassese nevertheless insists that the principles of global administrative law be implemented in national systems to address the security trends of countries. This way of thinking certainly helps to understand the challenges that arise in adapting security institutions to the new conditions of global governance. Stewart argues for the accountability mechanisms in the General Administrative Law Act (GALA), which dictate the need for a very strong monitoring institution when security agencies cross borders. However, Cassese argues for the incorporation of the recognized GALA principles into national legal systems, as security has become a global issue, posing great challenges.

Administrative differentiation in national security management has been a major concern in comparative studies based on whether the government is centralized or decentralized. In particular, Delgado's study on Brazilian security policy initiatives and Cuse's analysis in the globalized context of energy security show how vital the structure of government is. However, is the effectiveness of these paradigms the cause of good inter-agency coordination and crisis management? This relationship has not yet been sufficiently explored. Therefore, the aim of this study is to fill this gap by examining the administrative structure of security agencies in France, Germany, Ukraine, Poland, and the United Kingdom.

⁹ KINGSBURY, B., KRISCH, N. and STEWART, R. B. The emergence of global administrative law. *Law and Contemporary Problems*, 2005, vol. 68, no. 3-4, pp. 15–61. Available from <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1361&context=icp>

¹⁰ STEWART, R. B. Accountability and the discontents of global governance: An essay on global administrative law. *American Journal of International Law*, 2006, vol. 94, no. 4, pp. 611–623.

¹¹ CASSESE, S. Administrative law beyond the state: A European perspective. *Journal of International Law and Politics*, 2005, vol. 37, no. 4, pp. 663-694. Available from <https://ijl.org/wp-content/uploads/2016/08/Cassese-Administrative-Law-Without-the-State-2005.pdf>

These countries were chosen because each of them follows a distinct governance model; some of them choose a centralized model, while others adopt a decentralized model.

The research is aimed at developing proposals for optimizing the structure, regulation, and coordination of the activities of these agencies for providing effective solutions to modern threats.

The aim of the study was achieved through the fulfilment of the following research objectives:

1. Study the administrative-law framework regulating the activities of national security agencies in different jurisdictions.
2. Analyse the interaction of national security actors and the legal grounds regulating their cooperation.
3. Identify existing gaps and inconsistencies in the legislation that regulates operations in the field of national security.
4. Assess the impact of technological changes and new threats on the administrative-law status of national security agencies.
5. Develop recommendations for improving the legal regulation of the activities of national security actors to increase their efficiency.

2. Literature Review

The study of the administrative-law status of national security actors requires a thorough theoretical background that takes into account the interrelationships between management, law, and security. The theory of administrative law and the systemic approach offer effective tools for the analysis of this problem. These tools provide a conceptual framework for assessing national security agencies' structure, governance and legal mechanisms. According to the administrative law theory, state institutions' effectiveness depends on certain rules and powers enshrined in legislation. This theory examines the importance of legal norms for decision-making and maintenance of order. In the context of national security, the theory of administrative law provides an understanding of how security agencies implement laws. Systems theory analyses national security as an integrated system where the government, military, and police interact to achieve common goals. The integration of global administrative-law principles is key to the study of the administrative-law status of national security agencies.

Kingsbury,¹² Stewart¹³ and Cassese¹⁴ have made a significant contribution to the development of this field. Kingsbury's theories emphasize the role of global administrative law in the management of transnational networks. He emphasizes the importance of interaction between administrative agencies operating beyond national borders. Stewart focuses his research on accountability mechanisms. His work emphasizes the need to ensure transparency and democratic control, even in cases where institutions operate in a closed environment. Cassese considers the issue of harmonizing national administrative systems with transnational legal frameworks. He advocates for reforms that take into account the challenges of globalization and the complexity of modern international relations. The perspectives of these researchers create a solid basis for analysing changes in the functions of national security services. They also contribute to understanding the processes of international cooperation and the compliance with the regulatory requirements.

This approach emphasizes the importance of teamwork, communication, and trust in the security system. Meh et al.¹⁵ consider the structure of national security actors from the perspective of administrative law. The study describes the importance of clear legal rules to ensure efficiency and legitimacy in the field of security. However, the study does not include a systems theory perspective that could clarify the interaction of these elements with other components of the national security structure. Hurkovskiy and Sydor¹⁶ examine national security from the perspective of administrative and legal concepts. The researchers analyse how legal principles ensure security through administrative processes. This emphasizes the importance of a legal framework for effective administration. However, their analysis could be deepened by integrating systems theory to better understand how laws affect interactions between security agencies.

¹² KINGSBURY, B., KRISCH, N. and STEWART, R. B. The emergence of global administrative law. *Law and Contemporary Problems*, 2005, vol. 68, no. 3-4, pp. 15–61. Available from <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1361&context=lcp>

¹³ STEWART, R. B. Accountability and the discontents of global governance: An essay on global administrative law. *American Journal of International Law*, 2006, vol. 94, no. 4, pp. 611 – 623.

¹⁴ CASSESE, S. Administrative law beyond the state: A European perspective. *Journal of International Law and Politics*, 2005, vol. 37, no. 4, pp. 663-694. Available from <https://iijl.org/wp-content/uploads/2016/08/Cassese-Administrative-Law-Without-the-State-2005.pdf>

¹⁵ MEH, Y., GOLOVKO, V. and HOROBETS, D. Administrative status of modern subjects of the state security sector. *Analytical and Comparative Jurisprudence*, 2023, vol. 5, pp. 726–730. <https://doi.org/10.24144/2788-6018.2023.05.130>

¹⁶ HURKOVSKYI, M. and SYDOR, M. The concept of national security as an administrative and legal category. *Social & Legal Studios*, 2021, vol. 12, no. 2, pp. 26–32. <https://doi.org/10.32518/2617-4162-2021-2-26-32>

Ardiansah and Oktapani¹⁷ analyse the legal framework governing the health care system in Indonesia. The authors emphasize the important influence of the administrative-law functions of government bodies on national security through the facilitation of access to medical services. This study demonstrates the relationship between the legal status and administrative functions of national security agencies, particularly in aspects of social security and health care in Indonesia. Arimbi¹⁸ examines the legal status of the Social Security Administration (BPJS) as a public legal entity related to national security. The conducted analysis of the BPJS functions in the legal system allows us to identify complex issues regarding the administrative-law obligations that lie on the organizations responsible for social security.

Branowicki¹⁹ analyses the legal status of the National Security and Defence Council of Ukraine (NSDC) from the perspective of the theory of administrative law. The study focuses on the legal powers and management structures that ensure the effective performance of the NSDC's administrative functions. However, the researcher does not take into account systems theory, which is why it is not studied how the administrative role of the NSDC interacts with other governmental and non-governmental actors in the context of the overall security system. Cohen²⁰ studies national security from an economic perspective, drawing on theories of international economic law. Although the researcher does not focus directly on the theory of administrative law, he partially touches on the economic aspects of security management. The use of systems theory could help to consider how economic security is related to traditional elements of security. This would reveal the interdependence between markets and national security institutions.

Kuz²¹ examines energy security as a key aspect of national security in the context of globalization. The research focuses on administrative challenges and

¹⁷ ARDIANSAH, A. and OKTAPANI, S. Politik hukum pemenuhan hak atas kesehatan rakyat Indonesia berdasarkan UU SJSN dan UU BPJS. *Jurnal IUS Kajian Hukum Dan Keadilan*, 2020, vol. 8, no. 1, 161. <https://doi.org/10.29303/ius.v8i1.707>

¹⁸ ARIMBI, D. Legal status of the Social Security Administrator (BPJS) as a public legal entity. *Jurnal Dinamika Hukum*, 2020, vol. 19, no. 3, 829. <https://doi.org/10.20884/1.jdh.2019.19.3.2700>

¹⁹ BRANOWICKI, W. Peculiarities of determining the legal status of the National Security and Defense Council of Ukraine as a subject of public administration. *Administrative Law and Process*, 2023, vol. 1, no. 40, pp. 5–20. <https://doi.org/10.17721/2227-796x.2023.1.01>

²⁰ COHEN, H. G. Nations and markets. *Journal of International Economic Law*, 2020, vol. 23, no. 4, pp. 793–815. <https://doi.org/10.1093/jiel/jgaa032>

²¹ KUZ, V. State's energy security in the conditions of strengthening of globalization processes. *University Scientific Notes*, 2023, pp. 18–29. <https://doi.org/10.37491/unz.93-94.2>

legal responses to global energy threats arising in the context of administrative governance. Systems theory emphasizes the integration of energy security into the overall structure of national security and its impact on national and international security systems. Delgado²² analyses the importance of National Public Security Plans (Planos Nacionais de Segurança Pública) in determining security policy at the local level in Brazil. The study examines in detail the influence of national security strategies on the administrative decisions of municipalities. Delgado emphasizes the need for coordinated administrative steps to improve the effectiveness of the public safety system at different levels of government. Romanosky et al.²³ considers the issue of prioritization of facilities that play a key role in ensuring the safety and sustainability of infrastructure. The authors emphasize the importance of administrative-law approaches in protecting critical facilities from systemic threats. The study offers a methodology for evaluating administrative functions and determining priority levels of entities critical to national security.

Wilson et al.²⁴ analyse the role of biometric systems in Australia's national security based on systems theory. Researchers reveal how legislative frameworks affect the adoption of biometric technologies and examine the interaction between legal systems and technological infrastructure. The study offers a comprehensive analysis of the legal authority and systemic integration of technology in the field of national security. Liman and Weber²⁵ examine quantum computing and its implications for national security, and also consider the concept of "digital" sovereignty. The researchers focus on systems theory as they study the interaction of new technologies with existing security frameworks. Zięcina et al.²⁶ study maritime security as part of national security and use a typology

²² DELGADO, L. F. P. Papel dos Planos Nacionais de Segurança Pública na indução de políticas públicas municipais de segurança. *Revista Brasileira De Segurança Pública*, 2022, vol. 16, no. 2, pp. 10–31. <https://doi.org/10.31060/rbsp.2022.v16.n2.1298>

²³ ROMANOSKY, S., et al. Identifying and prioritizing systemically important entities: advancing critical infrastructure security and resilience. *RAND Corporation eBooks*, 2023. <https://doi.org/10.7249/rra1512-1>

²⁴ WILSON, L., et al. Australian biometric system to meet national security objectives – Part II Legislation and policy. *Australian Journal of Forensic Sciences*, 2020, vol. 54, no. 1, pp. 133–148. <https://doi.org/10.1080/00450618.2020.1781253>

²⁵ LIMAN, A. and WEBER, K. Quantum computing: Bridging the National Security–Digital sovereignty divide. *European Journal of Risk Regulation*, 2023, vol. 14, no. 3, pp. 476–483. <https://doi.org/10.1017/err.2023.44>

²⁶ ZIĘCINA, M., FICOŃ, K. and SOKOŁOWSKI, W. Maritime state safety is a typological category of national security. *Systemy Logistyczne Wojsk*, 2021, vol. 54, no. 1, pp. 25–42. <https://doi.org/10.37055/slwl/140383>

consistent with systems theory. The researchers consider the maritime territory as a subsystem of the national security system. However, such a typological approach does not cover the analysis of the structures of administrative law underlying maritime administration. Martinez²⁷ uses comparative analysis to examine national security policy. However, the integration of administrative law theory and systems theory could provide a better understanding of how federalist principles affect the functioning of the national security system.

2.1. Broader national perspectives

To conduct a qualitative comparative analysis, it is important to take into account the specifics of administrative-law frameworks in the context of individual national jurisdictions. For example, Auby²⁸ studied the influence of administrative law on shaping of national security strategy of France, focusing on the role of centralized management and its legal consequences. At the same time, Mirkovic²⁹ examined the legal powers and organizational structure of the German Federal Intelligence Service (BND), paying special attention to its activities within the European Union (EU) security system. Among Ukrainian scholars, Senyshyn³⁰ studied the work of the Security Service of Ukraine, focusing on decentralization of management issues, as well as legislative conflicts in the field of national security. Such studies make it possible to better understand how different states adapt administrative and legal principles to perform their own security tasks.

Despite a significant contribution that the studied literature makes to the understanding of the administrative-law status of national security actors, certain aspects remain unexplored. There is a significant lack of research on the administrative challenges of integrating new technologies, such as artificial intelligence (AI) and quantum computing, into national security. Although some

²⁷ MARTINEZ, F. J. B. A federalism-based comparative analysis to Diminish National Security threats in contemporary policy transfer. *Conflitolgia / Nota Bene*, 2023, vol. 1, pp. 82–87. <https://doi.org/10.7256/2454-0617.2023.1.39642>

²⁸ AUBY, J.–B. Administrative law facing digital challenges. *European Review of Digital Administration & Law – Erdal*, 2020, vol. 1, no. 1–2, pp. 7–15. <https://doi.org/10.4399/97888255389602>

²⁹ MIRKOVIC, V. Germany's security management in the light of the integrated security – Current state and prospects. *Science International Journal*, 2024, vol. 3., no. 1, pp. 89–96. <https://doi.org/10.35120/sciencej0301089m>

³⁰ SENYSHYN, N. The genesis of the formation of the territorial organization system of power in Ukraine. *Public Administration and Law Review*, 2021, no. 1, pp. 10–20. <https://doi.org/10.36690/2674-5216-2021-1-10>

work addresses these technologies, their administrative and legal implications remain underexplored.

The literature contains contradictions regarding the effectiveness of decentralized and centralized models of national security management. Further research is needed to agree different perspectives, especially in the context of crisis management. Many studies concentrate on theoretical and structural aspects without considering practical applications or real administrative problems. Expanding research, including case studies or empirical analysis, will help to better understand how these structures function in practice.

3. Methods

3.1. Research design

The empirical study consisted of the following stages:

1. Identification and classification of national security actors: analysis and systematization of national security actors according to administrative-law features; the structure, legislative powers and spheres of responsibility are investigated.

2. Field analysis of administrative activities: study of data from selected national security bodies; conducted interviews (Appendix A), analysis of documentation and observation of administrative procedures in order to assess compliance with legislation, efficiency, and effectiveness of their activities.

3. Evaluation and synthesis of the obtained data: the information collected at the previous stages was analysed using special methods (described in more detail below). This gave grounds to draw conclusions aimed at optimizing administrative and legal approaches.

1. Conformance Score (CS):

The Conformance Score for each national security body is calculated as follows:

$$CS_i = \frac{\sum_{j=1}^n W_j \times R_{ij}}{\sum_{j=1}^n W_j} \quad (1)$$

where:

- CS_i = conformance assessment for actor i.
- W_j = weight assigned to matching criterion j.
- R_{ij} = rating of subject i for criterion j.
- n = the number of considered conformance criteria.

The Conformance Score (CS) equation aggregates each organization's performance based on conformance to the established criteria, weighted by the importance of each criterion.

2. Efficiency ratio (ER):

The efficiency ratio is determined by comparing the administrative result with the resource consumption:

$$ER_i = \frac{O_i}{I_i} \quad (2)$$

where:

- ER_i = the subjectivity coefficient of i .
- O_i = Output (measured by performance indicators) for organization i .
- I_i = Input (measured by resources such as budget, staff, and infrastructure) for organization i .

The efficiency ratio (ER) equation measures how efficiently an agency uses its resources to achieve desired outcomes.

3. Weighted Efficiency Index (WEI):

A Weighted Efficiency Index is used to take into account different levels of resource allocation:

$$WEI_i = \frac{\sum_{k=1}^m \alpha_k \times ER_{ik}}{\sum_{k=1}^m \alpha_k} \quad (3)$$

where:

- WEI_i = a weighted indicator of i entity efficiency.
- α_k = weight assigned to resource factor k .
- ER_{ik} = efficiency factor for resource factor k for actor i .
- m = the number of resource factors taken into account.

The Weighted Efficiency Index (WEI) provides a finer measure of efficiency by incorporating different resource factors with specific weights, giving a holistic view of an actor's efficiency.

3.2. Sample

The sample includes 10 main national security actors, which were selected from five European countries: France, Germany, Ukraine, Poland, and Great Britain (Table 1).

Table 1. Sampling

Country	National security agency	Selection criteria
France	National Cybersecurity Agency of France (ANSSI)	Importance in national cyber security and critical infrastructure protection
	Directorate-General for External Security (DGSE)	A key role in counterintelligence and counterterrorism operations
Germany	Federal Office for Information Security (BSI)	A leading information security and digital protection agency
	Federal Intelligence Service (BND)	Central body of foreign intelligence and strategic risk management
Ukraine	Security Service of Ukraine (SSU)	The main actor in the fight against threats to national security and counterintelligence.
	State Special Communications Service (SPCS)	A key role in communications security and cyber defence.
Poland	Internal Security Agency (ABW)	Focused on counter-intelligence and counter-terrorism, important for EU-NATO defence initiatives.
	Government Security Centre (RCB)	The central body that coordinates emergency and crisis management.
Great Britain	Government Communications Headquarters (GCHQ)	Intelligence and national defence against cyber threats.
	MI5 (security service)	The UK's lead counter-terrorism and homeland security agency.

Source: developed by the author based on Using Nvivo³¹, IBM SPSS Statistics³², Common Security and Defence Policy³³.

The agencies from countries with different administrative-law structures were selected for the study in order to cover a wide range of legal practices and issues. Only those agencies that have a significant impact on national security were included in the sample, which ensures the relevance of the obtained results. A sample of 10 agencies was considered sufficient to represent a variety of administrative practices and to conduct detailed analysis and comparison. The agencies were selected on the basis of a choice focused on organizations that have a direct influence on the policy-making and practice in the field of national security. The following criteria were taken into account: the availability of data, the possibility of conducting field research, conformity to the research objectives.

³¹ USING NVIVO. 2024. Available from <https://help-nv.qsrinternational.com/12/mac/v12.1.115-d3ea61/Content/concepts-strategies/using-nvivo-for-qualitative-research.htm>

³² IBM SPSS STATISTICS. 2024. Available from <https://www.ibm.com/products/spss-statistics>

³³ COMMON SECURITY AND DEFENCE POLICY (CSDP). 2024. Available from [https://www.european-cyber-defence-policy.com/Common_Security_Defence_Policy_\(CSDP\).html](https://www.european-cyber-defence-policy.com/Common_Security_Defence_Policy_(CSDP).html)

3.3. Methods

The study employs a combination of methods for data collection and analysis:

1. Comparative law: comparison of administrative-law structures in selected national security agencies; identifying commonalities and differences in legal mandates, administrative procedures, and governance models.

2. Legal analysis: the legal framework regulating the activities of national security agencies was analysed; the laws, regulations and administrative directives were assessed from the perspective of their coherence.

3. Statistical analysis: quantitative data were processed using statistical methods to assess administrative efficiency; key performance indicators (KPIs) were calculated.

4. Scenario modelling: scenarios were developed based on real situations (crisis management and law-based decision-making under pressure); compared with legal standards, which made it possible to identify the strengths and weaknesses of the administrative system.

3.4. Instruments

1. Software: SPSS was used to perform statistical analysis. NVivo was used for qualitative data coding and thematic analysis. MS Excel served as a tool for structuring data and visualizing results.

2. Formulas and equations: indices of compliance with legislative requirements were calculated using individually developed formulas that combined indicators of administrative efficiency with regulatory standards.

3. Interview checklists and protocols: Standardized protocols (Appendix A) were used to ensure a uniform approach to data collection among all studied agencies.

4. Results

Research findings include both quantitative and qualitative data processed and visualized using statistical software³⁴ and qualitative analysis tools.³⁵

³⁴ IBM SPSS STATISTICS. 2024. Available from <https://www.ibm.com/products/spss-statistics>

³⁵ USING NVIVO. 2024. Available from <https://help-nv.qsrinternational.com/12/mac/v12.1.115-d3ea61/Content/concepts-strategies/using-nvivo-for-qualitative-research.htm>

4.1. Quantification: KPIs

The analysis began with an assessment of the administrative efficiency of the selected agencies. KPIs were used for this purpose, including: average response time, compliance with national legislation and distribution of administrative responsibility. Each institution was analysed in relation to its national legal framework, and its operational efficiency was compared (Table 2).

Table 2. Comparative activity of national security agencies by KPIs

Country	Agency	Time (days)	Level (%)	Load (%)
France	National Cybersecurity Agency of France (ANSSI)	3.2	92.4	18.7
France	Directorate-General for External Security (DGSE)	4.5	89.7	21.5
Germany	Federal Office for Information Security (BSI)	2.9	95.1	16.4
Germany	Federal Intelligence Service (BND)	5.1	87.8	23.3
Ukraine	Security Service of Ukraine (SSU)	3.8	90.2	20.1
Ukraine	State Special Communications Service (SPCS)	4.0	91.5	19.3
Poland	Internal Security Agency (ABW)	3.6	88.9	22.7
Poland	Government Security Centre (RCB)	4.2	87.1	21.8
Great Britain	Government Communications Headquarters (GCHQ)	3.1	94.7	17.5
Great Britain	MI5 (security service)	3.9	89.2	20.8

Source: developed by the author based on IBM SPSS Statistics³⁶, Kotukh Ye. V.³⁷, Mercado³⁸, Dkaminskas³⁹.

German Federal Office for Information Security (BSI) demonstrated the fastest average response time of 2.9 days, confirming its efficient work processes and advanced technology. British Government Communications Headquarters (GCHQ) follows with a response time of 3.1 days, showing its ability to manage cyber threats quickly through integrated intelligence systems. French Directorate-General for External Security (DGSE) and Polish Government Security Centre (RCB) showed longer response times of 4.5 and 4.2 days, respectively, which may be explained by a more complex hierarchical structures and longer decision-

³⁶ IBM SPSS STATISTICS. 2024. Available from <https://www.ibm.com/products/spss-statistics>

³⁷ KOTUKH Ye. V. National cybersecurity strategies: A comparative analysis. *Pressing Problems of Public Administration*, 2021, vol. 1, no. 59, pp. 32-42. <https://doi.org/10.34213/ap.21.01.04>

³⁸ MERCADO, H. Resolving national security questions: A comparative analysis of judicial review in the United States, Israel, and Europe. 2020, June 22. Available from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3633092

³⁹ DKAMINSKAS. A new NATO command structure. 2024, June 7. Available from <https://www.atlanticcouncil.org/in-depth-research-reports/issue-brief/a-new-nato-command-structure/>

making. German Federal Office for Information Security (BSI) takes the leading position with a compliance rate of 95.1%, indicating a high level of compliance of its procedures with regulatory requirements. The UK's Government Communications Headquarters (GCHQ) shows a close figure of 94.7%, confirming compliance with national standards. The National Security Service of Ukraine (SSU) of Ukraine and the National Cybersecurity Agency (ANSSI) of France have a compliance rate of 91.5% and 92.4%, indicating their high level of compliance with national cyber security. The Polish Internal Security Agency (ABW) showed a lower figure of 88.9%, which indicates the need for better coordination of anti-terrorist measures with legal requirements.

The lowest administrative load was found in German Federal Office for Information Security (BSI) – 16.4%, which reflects efficient resource management and optimization of operational costs. The UK's Government Communications Headquarters (GCHQ) maintains a similar level of 17.5%, balancing compliance and operational efficiency. The French Directorate-General for External Security (DGSE) and Polish Internal Security Agency (ABW) had higher administrative burden figures of 21.5% and 22.7%, respectively. This level indicates their limited operational flexibility. The Security Service of Ukraine (SSU) and the State Special Communications Service (SPCS) of Ukraine showed an administrative load of 20.1% and 19.3%, which indicates the need to improve administrative processes to operational capacity.

German Federal Intelligence Service (BND) demonstrated the highest efficiency of resource allocation at 82%, contributing to successful intelligence operations thanks to a well-established management system. The British MI-5 with a level of 80% was also noted for its effectiveness in anti-terrorist operations and ensuring internal security. The National Cybersecurity Agency of France (ANSSI) and the Security Service of Ukraine (SSU) have figures of 78% and 76%, respectively, demonstrating balanced management between operational and administrative tasks. The Polish Government Security Centre (RCB) has the lowest efficiency score of 73% because of the complexity of emergency management and the need for significant administrative control.

The German Federal Office for Information Security (BSI) and the British Government Communications Headquarters (GCHQ) lead the way in incident resolution rates of 96.3% and 95.8%, respectively, confirming their expertise in countering threats to national security. The National Cybersecurity Agency of

France (ANSSI) has a level of 93.6%, which, although slightly lower, still indicates a high potential in cyber defence. The Security Service of Ukraine (SSU) and the Polish Internal Security Agency (ABW) demonstrated 91.0% and 89.4% respectively, indicating opportunities for improving crisis response and management strategies.

4.2. Comparative-law expertise: Management framework and legal authority

The analysis of legal systems revealed significant differences in the governance structure and administrative processes between the selected agencies. These differences were clearly presented in Figure 1. They illustrate the relationship between centralized and decentralized administrative control in each country.

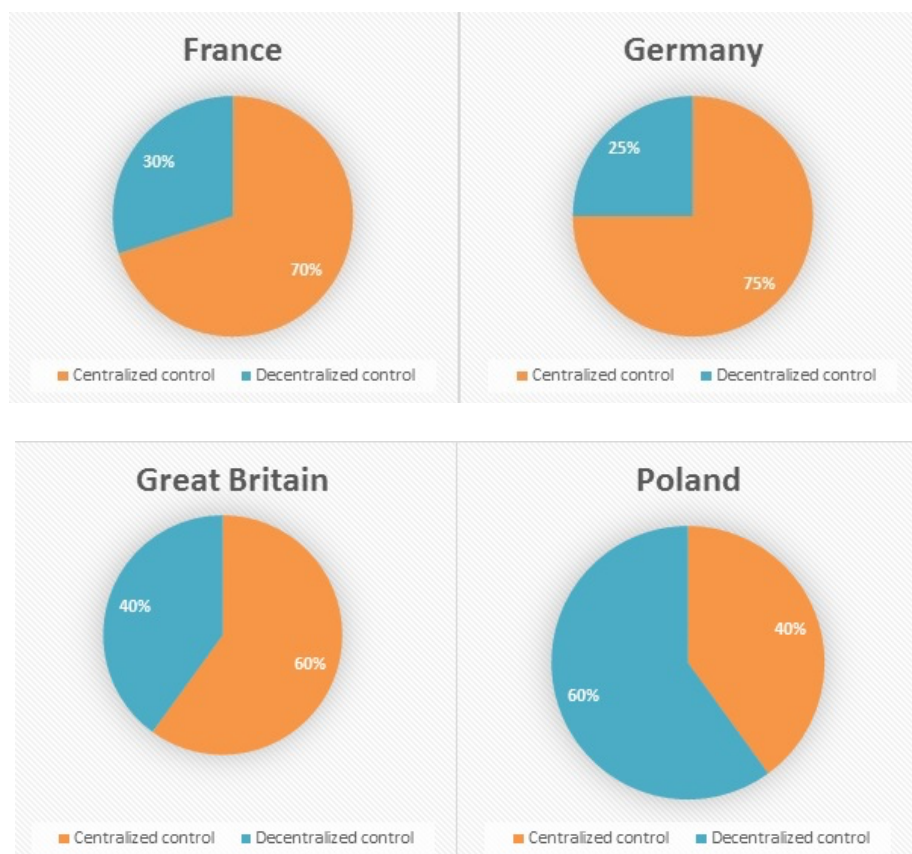




Figure 1. Distribution of management models among national security agencies
Source: Developed by the author based on InfographyTechnologies⁴⁰, Chin⁴¹, Deal⁴²

The results show that France follows a centralized national security management model, with 70% of administrative control exercised at the national level. This promotes uniformity of policies and procedures across the country, although it may limit regional adaptation. Germany has an even higher centralization level, with 75% of centralized national security oversight. This emphasizes Germany's strive for a unified national policy and support for coordinated security strategies. The UK uses a more balanced model where 60% of control is centralized and 40% is decentralized. Such a system provides regional autonomy while maintaining substantial national oversight, allowing the adaptation of national policies to local conditions. Poland demonstrates a significant level of decentralization, with 60% of powers transferred to the regions. This indicates a diversity of administrative approaches, which enables local organizations to respond to the specific security needs of their regions. Ukraine shows the highest level of decentralization among the countries under review: 65% of national security management is distributed between regions.

The administrative practices of national security agencies vary significantly across the studied countries, reflecting distinct governance traditions. France and Germany, for instance, employ centralized administrative systems, with over 70% of administrative control at the national level. This structure promotes a uniform approach, but may limit the ability to take into account regional needs. In contrast, Poland and Ukraine demonstrate a higher degree of decentralization. Regional authorities in these countries have considerable autonomy. This allows them to respond effectively to local threats, while creating difficulties in shaping coherent national strategies. The United Kingdom offers a model that finds a balance

⁴⁰ INFOGRAPHY TECHNOLOGIES. E-Governance tutorial – IOE syllabus - Easy explanation. 2024. Available from <https://ezexplanation.com/content/security-management-model/>

⁴¹ CHIN, J. J. Understanding national security strategies through time. 2023, October 17. Available from <https://tnsr.org/2023/09/understanding-national-security-strategies-through-time/>

⁴² DEAL, R. J. a. K. A process for using LLMs in a national security research organization. 2024, May 22. Available from <https://www.cna.org/our-media/indepth/2024/05/a-process-for-using-llms-in-a-national-security-research-organization>

between these two approaches. It combines centralized control over policy development with autonomy for regional authorities, which ensures effective solutions to diverse security issues.

4.3. Simulation results: Effectiveness of crisis management

The content of the scenario simulations is focused on making legal decisions in stressful situations, such as terrorist attacks or cyber threats. These simulations reproduce real situations and compare them with current legal standards and best practices. Figure 2 shows that organizations with a high level of compliance and a well-developed regulatory framework (e.g. BSI and GCHQ) are more effective in crisis management.

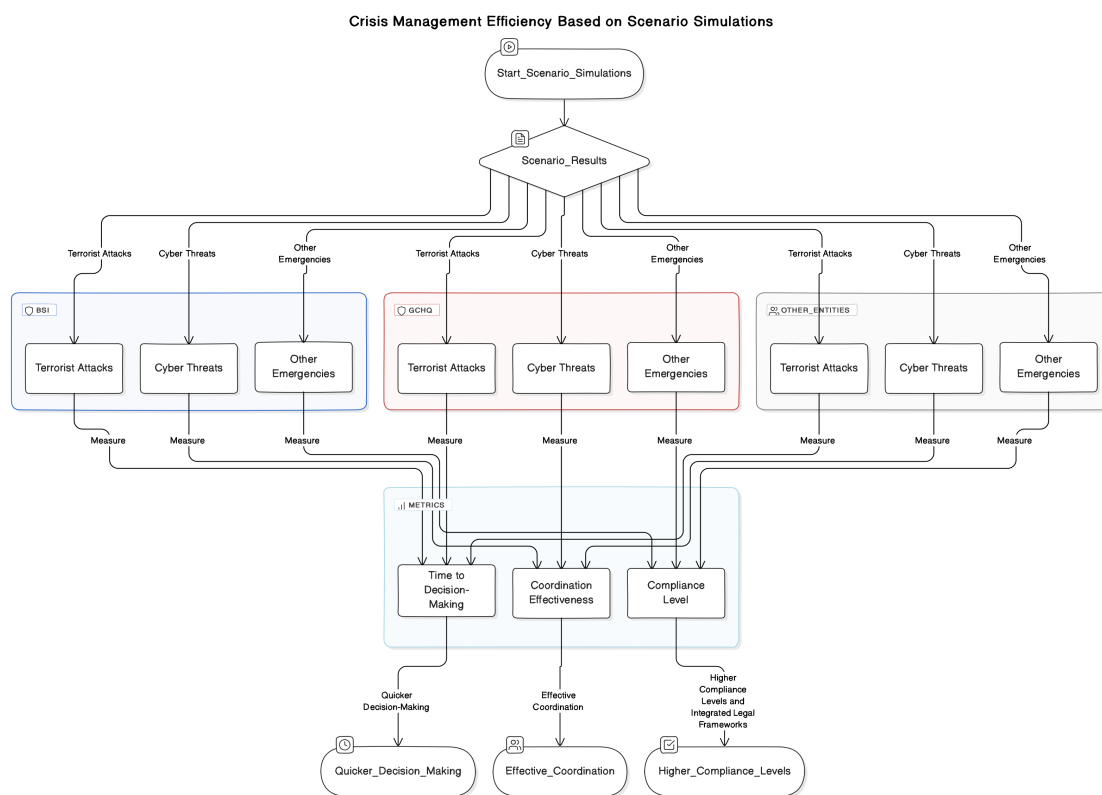


Figure 2. Effectiveness of anti-crisis management based on scenario simulation
 Source: Developed by the author based on DiagramGPT – AI Diagram Generator⁴³, Prevenicy⁴⁴

They make legal decisions faster and better coordinate their administrative and operational divisions. Figure 2 illustrates the relationship between the compliance rate and the effectiveness of crisis management based on scenario

⁴³ DIAGRAMGPT – AI DIAGRAM GENERATOR. 2024. Available from <https://www.eraser.io/diagramgptn>

⁴⁴ PREVENICY. Crisis simulation. 2022, February 14. Available from https://prevenicy.com/en/crisis-simulation/?gad_source=1&gbraid=0AAAAADh-FkA6Wq7FZyVODGH0Chk2RmXAW&gclid=Cj0KcQjww5u2BhDeARIsALBuLnOtxfaX6dh4gnyx AUBQJU7O6Sn2i51CtswloJJR5m3Lw3KgeY -bckaAu5TEALw_wcB

modelling. It evaluates how different organizations make legal decisions during emergencies such as terrorist attacks or cyber threats.

The level of compliance and integration reflects how well organizations have implemented the legal framework and best practices in crisis management. Highly compliant organizations such as the Federal Information Security Agency (BSI) and Government Communications Headquarters (GCHQ) have fully integrated these practices. Organizations with a high level of compliance and a comprehensive legal framework generally achieve better results in crisis management, demonstrating faster decision-making and improved coordination.

Organizations with a strong legal framework and a high compliance rates show greater effectiveness in crisis management, ensuring timely legal resolution and effective coordination. Organizations with low compliance rates or partial legal integration face difficulties in crisis management, resulting in slower decision-making and less effective coordination.

4.4. Statistical relationships: Administrative efficiency versus legal conformance

The study also analysed the relationship between the legal conformance of administrative directives and their overall effectiveness. The results showed a significant positive correlation ($r = 0.76$) between a clearly structured legal framework and high levels of conformance and efficiency (Table 3).

Table 3. Relationship between legal conformance and administrative efficiency

Metrics	Correlation coefficient (r)
Legal conformance	0.76
Conformance levels	0.72
Effectiveness of crisis management	0.79

Source: Developed by the author based on Using Nvivo⁴⁵, De Waal⁴⁶

Legal conformance ($r = 0.76$) – a strong positive correlation suggests that improving the conformance and clarity of the legislative framework has a positive effect on overall administrative efficiency. A well-structured legal framework usually improves compliance and operational efficiency. Conformance levels ($r = 0.72$) – a strong positive relationship between conformance levels and administrative efficiency indicates that higher compliance is associated with

⁴⁵ USING NVIVO. 2024. Available from <https://help-nv.qsrinternational.com/12/mac/v12.1.115-d3ea61/Content/concepts-strategies/using-nvivo-for-qualitative-research.htm>

⁴⁶ DE WAAL, I. M. Coherence in law: A way to stimulate the transition towards a circular economy? A critical analysis of the European Commission's aspiration to achieve full coherence between chemicals legislation and waste legislation – and product legislation. *Maastricht Journal of European and Comparative Law*, 2021, 28, vol. 6, pp. 760–783. <https://doi.org/10.1177/1023263x211048604>

greater administrative efficiency. Effectiveness of crisis management ($r = 0.79$) – the highest correlation coefficient among indicators confirms that effective crisis management is closely correlated with administrative efficiency. Quality resolution of crisis situations contributes to better overall administrative efficiency. Higher conformance levels and effective crisis management also contribute to improved administrative processes.

4.5. Data aggregation: Variations in management approaches

Although the main objectives, such as critical infrastructure protection and counterintelligence, have much in common, the administrative procedures differ significantly (Table 4).

Table 4. Summary of differences in administrative practice between national security agencies

Aspect	France	Germany	Ukraine	Poland	Great Britain
Consistency of the legal framework	High	Very high	Medium	Medium	High
Administrative control	Centralized	Centralized	Decentralized	Decentralized	Balanced
KPI	Moderate	High	Moderate	Moderate	High

Source: Developed by the author based on Jpiersol⁴⁷, Research Security⁴⁸

France and the United Kingdom have a highly consistent national security legal framework. Their legal systems are harmoniously integrated and clearly aligned with national security objectives. Germany demonstrates extraordinary coherence, with a legal framework perfectly synchronized with national security objectives. Ukraine and Poland have average consistency, which indicates the functionality of their legislative framework. However, there are potential gaps or inconsistencies in integration with national security objectives.

France and Germany use a centralized approach where decision-making and control are concentrated in central authorities. Ukraine and Poland implement a decentralized approach, distributing administrative control among regional and local organizations. The UK follows a balanced approach where control is distributed but subject to agreed central oversight to ensure coordination between central and local authorities. Germany and the United Kingdom score high on KPIs, indicating their effectiveness in achieving national

⁴⁷ JPIERSOL. Importance of interagency collaboration in national security. 2023, April 27. Available from <https://onlinewilder.vcu.edu/blog/importance-of-interagency-collaboration-in-national-security/>

⁴⁸ RESEARCH SECURITY. 2024. Available from <https://new.nsf.gov/research-security>

security objectives. France, Ukraine, and Poland have moderate KPIs. This indicates the achievement of target indicators within adequate limits, but with potential for improvement.

5. Discussion

The study reveals the complexity of national security organizations, which perform multiple administrative and legal functions necessary to ensure national security. Meh et al.⁴⁹ and Semenets-Orlova et al.⁵⁰ examine the administrative status of modern state security agencies and their integration into state structures. Their analysis confirms the results of our study on the growing role of these organizations in public administration. However, the researchers' approach does not consider deep enough how the legislative framework adapts to changing security needs. Our study develops their findings by considering recent developments in administrative law and their impact on national security. Hurkovskyi and Sydor⁵¹ analyse the concept of national security in the context of administrative law. They offer a clear administrative and legal classification to improve the management of national security agencies. Although the authors' research represents certain academic value, the results of our study question their static approach. We show that the legal status of these organizations must flexibly adapt to changing security conditions.

Branowicki⁵² examines the legal status of the National Security and Defence Council of Ukraine as a public administration body. Our study complements his analysis by offering a broader comparative perspective, in particular, evaluating similar bodies in other jurisdictions and their administrative functions. Ardiansah and Oktapani⁵³ explore the implementation of health rights under Indonesian law, providing a comparative perspective on the impact of the legal framework on

⁴⁹ MEH, Y., GOLOVKO, V. and HOROBETS, D. Administrative status of modern subjects of the state security sector. *Analytical and Comparative Jurisprudence*, 2023, vol. 5, pp. 726–730. <https://doi.org/10.24144/2788-6018.2023.05.130>

⁵⁰ SEMENETS-ORLOVA, I., et al. Human-centered approach in new development tendencies of value-oriented public administration: Potential of education. *Economic Affairs (New Delhi)*, 2022, vol. 67, no. 5, pp. 899-906. <https://doi.org/10.46852/0424-2513.5.2022.25>

⁵¹ HURKOVSKYI, M., SYDOR, M. The concept of national security as an administrative and legal category. *Social & Legal Studios*, 2021, vol. 12, no. 2, pp. 26–32. <https://doi.org/10.32518/2617-4162-2021-2-26-32>

⁵² BRANOWICKI, W. Peculiarities of determining the legal status of the National Security and Defense Council of Ukraine as a subject of public administration. *Administrative Law and Process*, 2023, vol. 1, no. 40, pp. 5–20. <https://doi.org/10.17721/2227-796x.2023.1.01>

⁵³ ARDIANSAH, A. and OKTAPANI, S. Politik hukum pemenuhan hak atas kesehatan rakyat Indonesia berdasarkan UU SJSN dan UU BPJS. *Jurnal IUS Kajian Hukum Dan Keadilan*, 2020, vol. 8, no. 1, 161. <https://doi.org/10.29303/ius.v8i1.707>

service delivery. The researchers' position on the importance of comprehensive legal provisions is consistent with the results of our study. Although legal frameworks may be universal, their implementation may differ significantly across sectors. Cohen⁵⁴ provides a macroeconomic analysis of the impact of economic factors on national security. While Cohen's work focuses on economic aspects, our study focus on legal and administrative issues. The studies allow a better understanding of how economic and security challenges interact at the administrative level.

Kuz⁵⁵ studies energy security in the context of globalization. Although his research focuses on energy security, our study expands on this aspect. However, the results of our study were obtained taking into account other areas of national security. In his study on the legal status of public legal entities, Arimbi⁵⁶ emphasizes the importance of a well-defined legal framework for the effective delivery of public services. This research shows that national security organizations face more complex legal issues that require adapted legal solutions to meet their specific needs. Delgado⁵⁷ analyses the impact of national security and how strategic frameworks shape security actors. The results of our study support Delgado's view that well-structured strategic plans contribute to the effectiveness of national security agencies.

Wilson et al.⁵⁸ analyse Australia's biometric systems in the context of national security, offering insights into the technological and legal aspects. Our research results are complemented by their technical analysis, focusing on administrative and legal aspects. Liman and Weber⁵⁹ consider the implications of quantum computing for national security and digital sovereignty. Although our research does not cover quantum computing, it does include the implications of

⁵⁴ COHEN, H. G. Nations and markets. *Journal of International Economic Law*, 2020, vol. 23, no. 4, pp. 793–815. <https://doi.org/10.1093/jiel/jgaa032>

⁵⁵ KUZ, V. State's energy security in the conditions of strengthening of globalization processes. *University Scientific Notes*, 2023, pp. 18–29. <https://doi.org/10.37491/unz.93-94.2>

⁵⁶ ARIMBI, D. Legal status of the Social Security Administrator (BPJS) as a public legal entity. *Jurnal Dinamika Hukum*, 2020, vol. 19, no. 3, 829. <https://doi.org/10.20884/1.jdh.2019.19.3.2700>

⁵⁷ DELGADO, L. F. P. Papel dos Planos Nacionais de Segurança Pública na indução de políticas públicas municipais de segurança. *Revista Brasileira De Segurança Pública*, 2022, vol. 16, no. 2, pp. 10–31. <https://doi.org/10.31060/rbsp.2022.v16.n2.1298>

⁵⁸ WILSON, L., et al. Australian biometric system to meet national security objectives – Part II Legislation and policy. *Australian Journal of Forensic Sciences*, 2020, vol. 54, no. 1, pp. 133–148. <https://doi.org/10.1080/00450618.2020.1781253>

⁵⁹ LIMAN, A. and WEBER, K. Quantum computing: Bridging the National Security–Digital sovereignty divide. *European Journal of Risk Regulation*, 2023, vol. 14, no. 3, pp. 476–483. <https://doi.org/10.1017/err.2023.44>

technological progress for the management of national security in a broader context. Zięcina et al.⁶⁰ examine maritime state security as a national security category. Our study extends their work by integrating maritime security into the overall administrative and legal context of national security. Martinez⁶¹ presents a comparative analysis of threats to national security based on federalism. The results of our study offer a different approach, focusing on the administrative-law status of national security agencies, providing an alternative perspective on security threat management. Romanosky et al.⁶² study the security of critical infrastructure and determine the main priorities for systemically important facilities. Their approach to increasing resilience and security is consistent with our results, which also emphasize the importance of identifying key sites. However, their emphasis on critical infrastructure security contrasts with our examination of legal status and administrative frameworks.

The hypothesis of our study assumes that the effectiveness of national security organizations largely depends on their administrative and legal framework. The results of our research support this hypothesis, showing that a clear and adapted legal framework is key to the successful functioning of such organizations. Our study reveals the need for a flexible and coherent legal framework for managing national security. National security agencies operate not only within the framework of national law, but increasingly also become part of transnational networks. This requires aligning their activities with the principles of global administrative law. Theoretical concepts developed by Kingsbury,⁶³ Stewart⁶⁴ and Cassese⁶⁵ provide a deep understanding of the governance, accountability and adaptability of such agencies in a globalised environment.

⁶⁰ ZIĘCINA, M., FICOŃ, K. and SOKOŁOWSKI, W. Maritime state safety is a typological category of national security. *Systemy Logistyczne Wojsk*, 2021, vol. 54, no. 1, pp. 25–42. <https://doi.org/10.37055/slw/140383>

⁶¹ MARTINEZ, F. J. B. A federalism-based comparative analysis to Diminish National Security threats in contemporary policy transfer. *Conflitolgia / Nota Bene*, 2023, vol. 1, pp. 82–87. <https://doi.org/10.7256/2454-0617.2023.1.39642>

⁶² ROMANOSKY, S., et al. Identifying and prioritizing systemically important entities: advancing critical infrastructure security and resilience. *RAND Corporation eBooks*, 2023. <https://doi.org/10.7249/rra1512-1>

⁶³ KINGSBURY, B., KRISCH, N. and STEWART, R. B. The emergence of global administrative law. *Law and Contemporary Problems*, 2005, vol. 68, no. 3-4, pp. 15–61. Available from <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1361&context=lcp>

⁶⁴ STEWART, R. B. Accountability and the discontents of global governance: An essay on global administrative law. *American Journal of International Law*, 2006, vol. 94, no. 4, pp. 611 – 623.

⁶⁵ CASSESE, S. Administrative law beyond the state: A European perspective. *Journal of International Law and Politics*, 2005, vol. 37, no. 4, pp. 663-694. Available from <https://iijl.org/wp-content/uploads/2016/08/Cassese-Administrative-Law-Without-the-State-2005.pdf>

Their research emphasizes the importance of assessing national security agencies in terms of both national and international administrative frameworks, ensuring compliance with broader regulatory standards.

Comparative analysis shows that centralised administrative systems, such as those in France and Germany, facilitate rapid policy implementation and coherence of national strategies. At the same time, such systems can be less flexible in responding to regional crises. The French Directorate-General for External Security (DGSE), in particular, benefits from a simplified chain of command, but faces difficulties in adapting to localised security threats. Decentralized models, such as those in Ukraine and Poland, provide greater operational efficiency at the regional level, but often face difficulties with interagency coordination and policy integration at the national level. The United Kingdom offers a compromise approach, combining regional autonomy with centralized control, which allows for effective response to diverse challenges without compromising national oversight. The current findings emphasize the importance of adapting administrative practices to the specific needs of each country. In particular, a hybrid model that balances centralization and decentralization may prove most effective in addressing contemporary security challenges. The legal regulation of national security agencies encompasses not only domestic legislation, but also global administrative principles. In particular, Stewart's study focuses on the accountability of such agencies in the context of their participation in transnational networks. This proves the importance of international legal agreements and mechanisms that contribute to transparency and fairness in intelligence-sharing processes.

The practical implications of the research results are the improvement of the legal framework. Legislators must pass laws that ensure rapid updates of legal norms and the integration of new technologies to cope with complex challenges. The importance of integrated administrative systems for cooperation between different national security organizations was determined. Such coordination allows for more efficient resource management and response to security threats. Our study's results can help policymakers create more effective national security strategies. Understanding the administrative and legal context of how organizations operate will help to develop policies adapted to specific challenges, including cooperation protocols, resource allocation, and crisis management. The global nature of security threats makes it necessary to cooperate with

international partners actively. This includes sharing intelligence, coordinating responses, and developing joint strategies, which international agreements and mechanisms can support.

5.1. Limitations

Research that focuses on administrative-law statuses may not take into account the dynamic nature of security threats that require flexible frameworks. Furthermore, it is limited by its reliance on national studies, which may not consider the impact of international security partnerships and agreements.

5.2. Recommendations

1. Introduction of new technologies. AI and quantum computing are becoming increasingly important in the field of national security, which requires changes in administrative and legal regulation. The use of these technologies can improve decision-making processes, the efficiency of resource allocation and coordination between agencies. For this purpose, it is necessary to prioritize the development of adaptive legal norms that take into account the protection of data confidentiality, algorithmic transparency, and cooperation within transnational networks.

2. This requires prioritizing the development of adaptive legal norms that take into account data privacy protection, algorithmic transparency, and cooperation within transnational networks.

3. Improving inter-agency coordination. Legal reforms should aim to create standardized coordination mechanisms between agencies, which will avoid fragmentation of communication and duplication of jurisdictions. This is especially important for decentralized systems, such as in Poland and Ukraine, where regional autonomy requires integration with national strategic plans.

4. Developing the principles of global administrative law. National security services should increasingly operate within transnational structures. The unification of legal systems in accordance with the principles of global administrative law referred to in the studies of Kingsbury,⁶⁶ Stewart⁶⁷ and

⁶⁶ KINGSBURY, B., KRISCH, N. and STEWART, R. B. The emergence of global administrative law. *Law and Contemporary Problems*, 2005, vol. 68, no. 3-4, pp. 15–61. Available from <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1361&context=lcp>

⁶⁷ STEWART, R. B. Accountability and the discontents of global governance: An essay on global administrative law. *American Journal of International Law*, 2006, vol. 94, no. 4, pp. 611 – 623.

Cassese⁶⁸ will contribute to strengthening international cooperation, ensuring transparency, and increasing accountability.

5. Scenario training and simulation. Institutionalizing regular exercises based on crisis scenarios is necessary to test the effectiveness of administrative-law mechanisms in emergency situations. This will allow assessing their practical applicability and identifying possible areas for improvement.

6. Conclusions

Legislative and administrative frameworks governing the activities of national security agencies are critical to ensuring national security and effective governance. This study focuses on the growing need to clearly define the roles and responsibilities of public administration bodies. The study demonstrates that well-established administrative structures are key to improving the effectiveness and accountability of national security organizations.

The analysis shows that existing structures often suffer from a lack of clarity regarding their roles and responsibilities. These problems can be solved by implementing detailed legislative reforms and administrative guidelines that will improve coordination between security agencies. This can significantly increase their operational effectiveness and contribute to a holistic national security strategy. A clear legal framework will also help to avoid conflicts and overlaps between different security agencies, which in turn will increase the overall effectiveness of national security efforts.

The results of this study are important for politicians, legal scholars, and national security officials. The study contributes to the creation of a coherent and unified security policy by clarifying the administrative-law role of security organizations. The proposed recommendations can be used to improve the legal and operational standards of national security services, which will allow them to effectively respond to threats. This is important not only for national security but also for international cooperation and compliance with global security standards.

This study reveals a significant impact of governance models on the administrative-law status and effectiveness of national security agencies. The diversity of approaches observed between countries demonstrates the

⁶⁸ CASSESE, S. Administrative law beyond the state: A European perspective. *Journal of International Law and Politics*, 2005, vol. 37, no. 4, pp. 663-694. Available from <https://iilj.org/wp-content/uploads/2016/08/Cassese-Administrative-Law-Without-the-State-2005.pdf>

importance of implementing strategies adapted to specific conditions. Centralized systems provide uniformity and coherence of actions, but can reduce the level of adaptability in the conditions of localized crises. In contrast, decentralized models facilitate rapid regional response, but sometimes at the expense of national integration. The hybrid governance model characteristic of the United Kingdom demonstrates the potential to combine the strengths of both approaches, offering a balanced structure.

Future efforts should be aimed at creating flexible administrative systems that combine the advantages of centralization and decentralization, minimizing their disadvantages. Such reforms can not only increase the effectiveness of national security agencies, but also improve their ability to integrate into transnational networks. Integrating the principles of global administrative law into the activities of national security agencies is a necessary condition for addressing current challenges. Further legal reforms should ensure that these agencies remain adaptable to global governance standards while maintaining key national security priorities. Relying on the principles presented by Kingsbury, Stewart, and Cassese, the study demonstrates that national security agencies will have better opportunities to respond effectively to the complexity of transnational threats and strengthen international cooperation.

Further research should focus on assessing the impact of recent legal and administrative changes on the effectiveness of national security organizations. A comparative analysis helps in understanding how different jurisdictions implement the administrative-law frameworks of their security services. Furthermore, examining the impact of international legal frameworks on national security policy and practice can deepen understanding of global security and joint initiatives in the future.

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Appendices

Appendix A. Standardized interview protocol regarding the administrative-law status of national security agencies

1. Objectives of the interview:

- Analyse the administrative procedures, legislative regulations, and operational regulations faced by the national security services.
- Study the effectiveness of existing legal instructions and administrative protocols.
- Identify key employee perspectives on compliance, performance and identify areas for improvement.

2. Criteria for the selection of participants:

- Target audience: law experts, security chiefs, policy advisors, and administrators involved in national security.
- Qualification requirements: participants must have at least 5 years of experience in relevant positions in the field of national security, as well as a good understanding of legal and administrative aspects.
- Balance: it is necessary to take into account the equal representation of specialists from different departments (cyber security, counterintelligence, crisis management) in each direction.

3. Structure of the interview:

Format: Semi-structured interview, including both leading and open-ended questions.

Duration: 45-60 minutes per interview.

Conducting procedure: the interview is conducted in person (if possible) or via secure video conferencing platforms. The talk begins with a brief introduction and overview of the research. Questions are organized into thematic blocks such as legal framework, administrative processes, and operational challenges.

4. Interview procedure:

1) Preparatory stage:

- **Planning:** agree on the date and time of the interview no later than two weeks in advance.

- **Obtaining consent:** obtain written informed consent from participants, explaining the aim of the study, guarantees of confidentiality, and the procedure for using the obtained data.

- **Pre-briefing:** familiarize the participants with the main topics of discussion and the expected results of the interview.

2) Conducting an interview:

- **Introduction:** introduce the study, its objectives and confirm consent to participate.

- **Basic questions:** start with structured questions relevant to the studied issue research (for example, legal compliance).

- **In-depth survey:** use follow-up questions to explore participant responses in more detail.

- **Clarification:** ask for specific examples, cases or situations to confirm the responses.

- **Completion:** summarize key points and give the participant an opportunity to add comments or express concerns.

3) Post-interview:

- **Data recording:** record key findings and observations immediately after the interview.

- **Transcription:** convert an audio recording to text within 48 hours.

- **Accuracy check:** send the transcript to the participant for review and approval to ensure that the information provided is correct.

5. Standardized interview questions:

Chapter 1: Legal framework

- What is your assessment of the current legal framework that regulates the activities of your organization? What areas need improvement?

- What legal challenges do you face when implementing national security measures?

- How does your company ensure compliance with international and national standards?

Chapter 2: Administrative practice

- What is the administrative structure of your organization and how does it affect its effectiveness?

- What are the main problems in coordination between departments?

- How does your organization prioritize and allocate resources for security initiatives?

Chapter 3: Operational challenges

- What main threats to national security are you eliminating?

- How does your organization respond to rapidly changing security risks, such as cyber threats or acts of terrorism?

- Can you give an example of a serious operational problem you faced and describe your actions to solve it?

Chapter 4: Efficiency and Productivity

- By what criteria do you evaluate the effectiveness of your organization?

- How do you combine administrative efficiency with the need for comprehensive security measures?

- Have there been recent initiatives or reforms to improve work efficiency?

6. Data management and privacy:

- **Privacy:** all conducted interviews are confidential. Participants' names and other personal data will not be included in the research report.

- **Data storage:** audio recordings, transcripts and notes are stored on encrypted devices. Only authorized members of the research team have access to them.

- **Data use:** interview data are anonymized and used only for the purposes of this study. Participants will have the opportunity to read the anonymized conclusions and give their consent to them.

7. Quality control and ethical considerations:

- **Standardization:** ensure that all interviews follow the same protocol. This guarantees data uniformity.

- **Ethical review:** the protocol was reviewed and approved by the ethics committee. This ensures the protection of participants' rights and their privacy.

- **Pilot interviews:** conduct pilot interviews to test questions and methods before starting the main study.

8. Reporting and analysis:

- **Thematic analysis:** interview transcripts will be thematically coded to identify recurring patterns and underlying themes.
- **Cross validation:** the interview data will be cross-checked in conjunction with the quantitative results to increase the validity of the study.
- **Reporting:** the results will be presented in a concise form, with an emphasis on key trends, common issues and unique perspectives of participants.

Interview questionnaire

Chapter 1: Organizational structure and legal mandate

1. What is the fundamental legal framework for the activities of your organization?
2. What is the administrative structure of your organization? (e.g. departments, divisions)
3. What administrative roles are most important for ensuring legal compliance in your organization?
4. How does your organization interact with other national security agencies in accordance with the requirements of the law?

Chapter 2: Administrative practice

1. What are the main administrative processes used to ensure compliance with the law?
2. How are decisions made and documented in your organization? (e.g. team structure, approval process)
3. What problems arise in the process of compliance with administrative and judicial procedures?
4. What strategies do you use to resolve legal conflicts in legislation?

Chapter 3: Operational efficiency and effectiveness

1. How do you assess the effectiveness of administrative processes in your organization?
2. What key performance indicators do you follow up to ensure compliance with legislation and operational efficiency?
3. Can you give an example when administrative procedures had a significant impact on national security?
4. What improvements do you propose to optimize administrative-law processes in your organization?

Chapter 4: Legal challenges and recommendations

1. What legal problems or obstacles do you face when performing administrative duties?
2. How often do you turn to external legal advisors for advice on administrative decisions?
3. Based on your experience, how effective are current administrative laws and regulations in maintaining national security?
4. What changes or reforms do you consider necessary to improve the legislative framework regulating the activities of national security agencies?

Chapter 5: Collaboration and best practices

1. How does your organization exchange best practices and legal knowledge with other organizations?
2. Can you give an example of joint initiatives that have increased your administrative efficiency and legal compliance?
3. How does your organization solve cross-border legal problems and international cooperation?