

UDC 342.9

DOI <https://doi.org/10.32849/2663-5313/2024.2.05>**Tetiana Bilobrov,***PhD in Law, Senior Research Fellow, Scientific Institute of Public Law, 2a, H. Kirpa street, Kyiv, Ukraine, postal code 03055, tvtkach@outlook.com***ORCID:** orcid.org/0009-0009-4439-4404*Bilobrov, Tetiana (2024). Tasks and functions of the Cyber Police Department in Ukraine. Entrepreneurship, Economy and Law, 2, 28–34, doi <https://doi.org/10.32849/2663-5313/2024.2.05>*

TASKS AND FUNCTIONS OF THE CYBER POLICE DEPARTMENT IN UKRAINE

Abstract. Purpose. The aim of this article is to analyze the legislative understanding of the tasks and functions of the Cyber Police Department of the National Police of Ukraine. **Results.** In the context of the rapid development of information technologies, crime is increasingly taking diverse forms and employing a wide range of criminal methods. Therefore, combating offenses that target electronic governance, e-banking services, electronic commerce, and related domains is a key factor in building Ukraine as a democratic and rule-of-law state grounded in the principles of legality, the rule of law, and the protection of human and civil rights. As of today, the primary expectations for ensuring cybersecurity lie with the Cyber Police Department of the National Police of Ukraine, which operates as an interregional territorial body and holds the status of a legal entity under public law. The identification of the tasks and functions of the Cyber Police Department is a crucial element in defining the specific nature of its activities and its administrative and legal status. This article proposes an original definition of the concept of “tasks of the Cyber Police Department of the National Police of Ukraine,” understood as the legislatively established avenues for achieving specific objectives—namely, the implementation of state policy in the field of combating cybercrime, and the provision of information and analytical support to the leadership of the National Police and government authorities on issues falling within the cyber police’s remit. **Conclusions.** Given the specific nature of the Cyber Police Department’s activities, it is proposed that its tasks be classified into general and special categories, as well as into tasks related to state secrets and those not involving classified information. These tasks are closely intertwined with areas of activity, which are referred to as “functions.” The functions of the Cyber Police Department of the National Police of Ukraine are defined as a set of legally established administrative, operational-search, regulatory, personnel-related, informational, and preventive areas of activity of this law enforcement agency, the performance of which is conditioned by its objectives in the field of combating cybercrime.

Key words: tasks, functions, Cyber Police Department in Ukraine, cyberspace, administrative and legal status.

1. Introduction

In the current context of the development of information technologies, crime is increasingly taking on diverse forms and employing various criminal methods. Consequently, counteracting offenses targeting electronic governance, e-banking services, and electronic commerce has become one of the critical elements in building Ukraine as a democratic, rule-of-law state grounded in the principles of legality, the rule of law, and the protection of human and civil rights (Bereza, 2017).

Modern challenges and threats—primarily hybrid in nature—are driven by a combination of socio-demographic, economic, political, legal, psychological, and technological factors. These require a systemic response and the appropriate transformation of public authorities, particularly law enforcement agencies. Among them,

a prominent role is assigned to the National Police of Ukraine, which plays a key part in ensuring the development of a secure living environment as the foundation of national security. As of today, the main expectations regarding the protection of the modern cyberspace are placed on the Cyber Police Department of the National Police of Ukraine, which functions as an interregional territorial body with the status of a legal entity under public law (Bereza, 2017).

The scientific and theoretical foundations for studying the tasks and functions of the police as a law enforcement service agency—including the Cyber Police Department—have been established by the research of leading scholars such as O.M. Bandurka, O.V. Batrachenko, O.I. Dovhan, A.M. Kulish, L.V. Mohylevskiy, O.M. Muzychuk, D.S. Pryputen,

V.V. Sokurenko, V.A. Troyan, V.V. Chumak, D.V. Shvets, V.I. Shamrai, among others.

Defining the tasks and functions of the Cyber Police Department of the National Police of Ukraine is a crucial component of determining the specific features of its activities and administrative-legal status, as the successful and effective performance of its powers depends on a clear legislative understanding of its tasks and functions as a foundational element of the administrative-legal status of any public authority.

2. Analysis of the Tasks of the Cyber Police Department of the National Police of Ukraine

In his examination of the concept of “task” in relation to public authority, O.H. Komisarov argues that while goals may be unattainable within a specific (planned) timeframe, progress toward those goals must be ongoing. Unlike goals, however, tasks must be achievable—though not always enforceable. Alongside this exists the notion of an ideal, a goal that may never be fully attained but toward which one must continually strive (Komisarov, 2002).

Tasks represent the specification of the pathways necessary and sufficient to achieve the ultimate purpose for which a public authority is established. In other words, tasks stem from the overarching goal and serve as a means of realizing it. The process of setting tasks brings together the desirable (what is to be achieved) and the possible (what resources are available). Therefore, in order for tasks to be meaningful, they must be attainable but should also require maximum effort from the institution. Tasks should be oriented both toward the present and the future, as they provide benchmarks for planning and serve as the standards against which outcomes are evaluated.

According to the Law of Ukraine “On the National Police,” the following are among the tasks assigned to the police:

1. Ensuring public safety and order;
2. Protecting human rights and freedoms, as well as the interests of society and the state;
3. Counteracting crime;
4. Providing assistance, within the limits established by law, to individuals who require help due to personal, economic, or social reasons, or as a result of emergencies (Law of Ukraine On the National Police, 2015).

In turn, taking into account the specific nature of the Cyber Police Department’s activities, as defined in the “Regulations on the Cyber Police Department of the National Police of Ukraine,” approved by the Order of the National Police of Ukraine, the Department is tasked with the following:

1. Ensuring the implementation of state policy in the field of combating cybercrime;

2. Conducting information and analytical support for the leadership of the National Police of Ukraine and state authorities regarding the status of issues within its competence;

3. Developing and implementing state policy aimed at preventing and counteracting criminal offenses whose preparation, commission, or concealment involves the use of computers, systems, computer networks, and telecommunications networks (Order of the National Police of Ukraine on Approval of the Regulations on the Cyber Police Department of the National Police of Ukraine, 2015).

Taking the above into account, we propose the following authorial definition of the concept of “tasks of the Cyber Police Department of the National Police of Ukraine.” These tasks constitute legally defined pathways for achieving the Department’s specific objectives—namely, the implementation of state policy in the field of combating cybercrime, and the provision of information and analytical support to the leadership of the National Police of Ukraine and public authorities regarding matters within the Department’s competence.

Given the specificity of the activities of the Cyber Police Department of the National Police of Ukraine, it is reasonable to propose an original classification of its tasks into the following categories: (1) general and special tasks, and (2) tasks not related to state secrets and those that are related to state secrets. At the same time, it is necessary to review existing classifications of police tasks proposed by scholars in the field of administrative law.

For example, V.V. Chumak identifies the following classification of police tasks:

– **General (strategic) police tasks**, such as: “maintaining safety, peace, and order in society” (Denmark); “ensuring and strengthening order and peace in the country” (Malta); “ensuring peace in the country” (Cyprus); “maintaining peace and order and ensuring the safe social development of citizens, including the fulfillment of general police duties and road safety” (Greece); “protection of human rights and freedoms” (Lithuania);

– **Tasks in the sphere of personal and property security**, including: “protection of property, life, and personal dignity of citizens” (Slovenia); “ensuring personal security of citizens, protection of their rights and freedoms, and legitimate interests” (Ukraine); “personal and property security of citizens” (Belarus); “guaranteeing personal and public safety” (Latvia); and “protection of the Pope both within the state during papal ceremonies and receptions, and during travel in Italy and abroad” (Vatican);

– **Tasks in the field of protecting society and the state from criminal and other threats**, such as: “prevention and suppression of offenses,” and “detection and investigation of crimes, as well as the search for offenders” (Ukraine); “prevention and detection of crimes, and apprehension of offenders” (Cyprus); “prevention of crimes and other offenses,” and “investigation of crimes and criminal search” (Latvia);

– **Tasks in the field of public order protection**, such as: “protection and maintenance of public order” (Ukraine); “public order protection” (Belarus); “ensuring public order and security” (Lithuania); “ensuring public order, personal and public safety” (Kyrgyzstan); “crime prevention and protection of the state and democratic government within the constitutional framework, including the implementation of public and state security policy” (Greece); “law enforcement and public order maintenance” (Cyprus);

– **Tasks of a social (humanitarian) nature**, such as participation in the provision of social and legal assistance to individuals and legal entities (Ukraine, Belarus); and providing assistance in emergencies—particularly to persons affected by unlawful acts or natural disasters, or those in helpless conditions (Lithuania);

– **Tasks of a special nature**, such as performing military duties during peacekeeping missions abroad (Carabinieri, Italy); ensuring the security of borders, airspace, international airports and railways, and protecting public officials, federal buildings, and diplomatic missions (Federal Police of Germany) (Pronevych, 2010).

Based on the above, the **general tasks** of the Cyber Police Department of the National Police of Ukraine include: ensuring public safety and order; protecting fundamental human rights and freedoms, as well as the interests of society and the state; combating cybercrime; and providing legally prescribed assistance to individuals who require it due to personal, economic, or social circumstances, or in the event of emergencies.

The **special tasks** of the Cyber Police Department of the National Police of Ukraine include: implementing state policy in the field of combating cybercrime; informing the public in advance about emerging cyber threats; introducing software tools for the systematization of cyber incidents; and responding to inquiries from foreign partners received via the National 24/7 Contact Point Network (Website of the Cyber Police Department, 2023).

Tasks that are **not related to state secrets** include the development and implementation

of state policy aimed at preventing and combating criminal offenses whose preparation, commission, or concealment involves the use of computers, computer systems and networks, or telecommunication networks.

It is also essential to separately define the **tasks of the Cyber Police Department in the field of crime prevention**, particularly by legislatively establishing the jurisdiction over cybercrimes committed in the areas involving the use of computers, systems and computer networks, telecommunication networks, state information resources, and critical information infrastructure. Furthermore, it is crucial to significantly increase liability for interference with the functioning of such systems, thereby securing the special responsibility of the Cyber Police of Ukraine in this domain.

On this basis, we propose the following **classification of tasks in the field of combating cybercrime**, aligned with the typology of cyber offenses:

– **Unauthorized interference** with the operation of electronic computing machines (computers), automated systems, computer networks, or telecommunications networks (Article 361 of the Criminal Code of Ukraine);

– **Creation for the purpose of use, distribution, or sale** of malicious software or hardware, as well as their distribution or sale (Article 361-1);

– **Unauthorized sale or dissemination of restricted-access information** stored in computers, automated systems, computer networks, or on information carriers (Article 361-2);

– **Unauthorized actions involving information** processed in computers, automated systems, or computer networks, or stored on information carriers, committed by a person authorized to access such information (Article 362);

– **Violation of rules** for the operation of electronic computing machines (computers), automated systems, computer networks, or telecommunications networks, or of procedures or regulations for information protection (Article 363);

– **Obstruction of the functioning** of electronic computing machines (computers), automated systems, computer networks, or telecommunications networks through the mass distribution of telecommunication messages (Article 363-1), among others (Criminal Code of Ukraine: dated April, 2001).

The proposed legislative classification of the tasks of the Cyber Police Department of the National Police of Ukraine will contribute to their more consistent and structured implementation. It will also

facilitate the identification of new functions and the corresponding scope of authority aimed at ensuring cybersecurity and protecting citizens' rights.

Accordingly, the implementation of the National Police's tasks in Ukraine reflects police activity grounded in the principles enshrined in current legislation, while also aligning with modern European integration trends. These **principles**, as the fundamental guidelines underlying the operations of every police authority and division, serve to foster the development of a police force modeled on **European standards**. In turn, **police tasks** determine the methods by which police activity is carried out, based on these foundational principles (Shevchuk, 2019).

3. Analysis of the Functions of the Cyber Police Department of the National Police of Ukraine

Tasks are closely intertwined with the main areas of activity, which are referred to as "functions."

Defining the relationship between functions and tasks of a state authority, N.V. Lebid notes that functions are characterized by continuity and permanence, not being conditioned by specific events or actions. In contrast, **tasks** are of a temporary nature, and upon their completion, they are either removed or replaced with new ones. Therefore, within the legal status of a public authority, it is both possible and appropriate to define and differentiate its functions by referring to the tasks assigned to it. According to the author, **functions** are defined as the main interconnected areas of activity carried out by the public authority, its structural subdivisions, officials, and civil servants in order to achieve the overall goal (Lebid, 2004).

Accordingly, the **functions of the Cyber Police Department of the National Police of Ukraine** can be defined as a set of legally established administrative, operational and investigative, regulatory, personnel, informational, and preventive areas of activity of this law enforcement agency, the performance of which is determined by the tasks related to combating cybercrime.

Regarding existing classifications of police functions, O.S. Pronevych, based on a comprehensive analysis of the theory and practice of police activity, distinguishes the following functions of the police:

1. **Administrative** (administrative-executive; executive-coercive);
2. **Operational and investigative**;
3. **Criminal procedural** (investigative);
4. **Preventive and social** (preventive and prophylactic, social and service-oriented);
5. **Protective** (Pronevych, 2010).

At the same time, D.S. Denysiuk, based on an analysis of the Law of Ukraine "On the National Police" and the Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Regulation on the National Police," identifies the following **functions of the police**:

1. Social and service function;
2. Preventive and prophylactic function aimed at preventing offenses;
3. Criminal procedural function;
4. Operational and investigative function;
5. Permissive (licensing) function;
6. Protective function;
7. Function of logistical and technical support;
8. Function of international cooperation;
9. Informational support function;
10. Scientific and methodological function;
11. Personnel (HR) function;
12. Function of socio-legal protection (Denysiuk, 2016).

In the context of the research topic, it should be noted that the concept of the **functions of the Cyber Police Department of the National Police of Ukraine** has not yet been legally defined. Nevertheless, the legislation regulating the activities of the Cyber Police Department, particularly as a law enforcement agency, employs the term "*functions*".

According to Article 3 of the **Regulations on the Cyber Police Department of the National Police of Ukraine**, published on the official website of the Department, a list of core functions has been made publicly available. These functions are performed by the Department in accordance with its assigned tasks and include the following:

1. Developing, defining, and ensuring the implementation of a set of organizational and practical measures aimed at preventing and combating criminal offenses in the field of cybercrime;
2. Undertaking, within the limits of its competence, the necessary operational and investigative measures to detect the causes and conditions leading to the commission of criminal offenses in the field of cybercrime;
3. Determining key areas of work and operational service tactics to counter cybercrime;
4. Taking legally prescribed measures to collect and generalize information regarding operationally significant entities, including those in the telecommunications sector, internet service providers, banking institutions, and payment systems, for the purpose of crime prevention, detection, and suppression;
5. Organizing and monitoring the performance of subordinate cyber police

units in complying with Ukrainian legislation on cybercrime, enforcing service discipline and classified information regimes, participating in comprehensive inspections of their activities, and taking measures to eliminate identified shortcomings;

6. Initiating, with the approval of the leadership of the National Police of Ukraine, the conduct of comprehensive inspections, audits, and other reviews of subordinate units;

7. Conducting public awareness campaigns on the proper use of modern technologies and the importance of cyber threat prevention and legal compliance;

8. Ensuring, in accordance with national legislation, the creation and maintenance of databases and automated information systems in support of service activities;

9. Organizing the execution of instructions issued by investigators and prosecutors regarding investigative and covert investigative actions in criminal proceedings;

10. With the approval of the leadership of the National Police of Ukraine, organizing comprehensive and targeted operational and preventive measures across the country or specific regions, including in cooperation with foreign law enforcement bodies;

11. Developing recommendations to improve the professional skills and awareness of National Police units and the public regarding the results of cyber police activities;

12. Studying national and international best practices in combating cybercrime and submitting proposals to the leadership of the National Police for their implementation;

13. Submitting legislative initiatives and participating in the development of draft legislation and other regulatory acts in the area of cybercrime prevention;

14. Establishing and maintaining a 24/7 contact network to provide emergency assistance during cybercrime investigations, to pursue offenders, and to collect digital evidence;

15. Supporting the operation of local forensic laboratories and rapid response teams for on-site data extraction from digital storage devices;

16. Analyzing and systematizing data on cybercrime and technology-related offenses received via call centers, email communications, and online feedback terminals;

17. Collecting, systematizing, and analyzing information on criminal processes and crime-fighting efforts nationwide and regionally, assessing performance indicators, and providing reports to the leadership of the National Police, Ministry of Internal Affairs, and other public authorities;

18. Establishing partnerships and cooperation with domestic public authorities, other law enforcement agencies, the private sector, and foreign and international law enforcement institutions to enhance cybercrime prevention and strengthen public trust;

19. Ensuring the timely review of inquiries and requests from citizens, enterprises, institutions, and organizations, as well as monitoring compliance with proper procedures for their registration, processing, and response;

20. Supporting the effective selection, assignment, training, and professional development of personnel within the Department and its subordinate units;

21. Participating in the organization and hosting of training events, conferences, and scientific-practical forums on cybercrime prevention;

22. Reviewing the performance of units, submitting proposals for improvement, and recommending disciplinary action or commendation for personnel, as appropriate;

23. Exercising other powers in accordance with the requirements of current legislation (Order of the National Police of Ukraine on Approval of the Regulations on the Cyber Police Department of the National Police of Ukraine, 2015).

Based on the analysis of the **Law of Ukraine “On the National Police”** and the **Order of the National Police of Ukraine “On the Approval of the Regulations on the Cyber Police Department of the National Police of Ukraine”**, we propose the following classification of the core **functions** of the Department:

1. **Administrative function** – for instance, the Department organizes and monitors the activities of subordinate cyber police units to ensure compliance with Ukrainian legislation in the area of cybercrime prevention.

2. **Operational and investigative function** – within the limits of its competence, the Department carries out operational and investigative measures to identify the causes and conditions leading to the commission of criminal offenses in the field of cybercrime. It also organizes the execution of instructions from investigators and prosecutors regarding investigative (search) actions and covert investigative (search) actions in criminal proceedings.

3. **Regulatory (rule-making) function** – the Department submits proposals to improve legislation in the area of cybercrime prevention and participates in the development and drafting of legislative and other normative legal acts in this domain.

4. **Personnel function** – the Department ensures the proper selection, assignment,

training, and development of its staff and of personnel in its subordinate units.

5. Information and analytical function – the Department ensures, in accordance with Ukrainian law, the creation and maintenance of data sets and automated information systems in support of official activity; it collects, systematizes, and analyzes information about criminal processes and the state of crime prevention activities at national and regional levels; it also ensures timely processing of citizen and institutional inquiries within the Department's competence, and monitors adherence to procedures for their registration, tracking, and response.

6. Preventive and awareness-raising function – the Department defines, develops, and implements a set of organizational and practical measures aimed at preventing and counteracting criminal offenses in the sphere of cybercrime. Additionally, it carries out educational campaigns among the public regarding compliance with Ukrainian legislation in the use of modern technologies, and the protection against and prevention of cyber threats in everyday life.

It is also important to highlight the specific functions of the Cyber Police Department of the National Police of Ukraine in the field of cybercrime prevention and response, in particular:

1. defines, develops, and ensures the implementation of a set of measures aimed at preventing and counteracting criminal offenses in the area of cybercrime;

2. within the scope of its competence, takes the necessary operational and investigative measures to identify the causes and conditions that lead to the commission of criminal offenses in the field of cybercrime;

3. implements statutory measures for collecting and analyzing information concerning objects of operational interest, including those in the telecommunications sector, internet service providers, banking institutions, and payment systems, in order to prevent, detect, and suppress criminal offenses;

4. organizes and supervises the activities of subordinate cyber police units in fulfilling the requirements of Ukrainian legislation in the field of combating cybercrime;

5. conducts public awareness campaigns regarding compliance with Ukrainian law in the use of modern technologies, and the protection against and prevention of cyber threats in daily life;

6. ensures the development and maintenance of data sets and automated information systems in accordance with the needs of operational activities;

7. coordinates the execution, within its competence, of instructions issued by investigators and prosecutors concerning investigative (search) and covert investigative (search) actions within criminal proceedings, among other functions (Website Wikipedia, 2023).

Thus, the above provisions allow for defining the functions of the Cyber Police Department of the National Police of Ukraine as a set of administratively, operationally, normatively, personnel-related, informational, and preventive activities enshrined at the normative-legal level. These activities are directly driven by the tasks aimed at countering cybercrime.

4. Conclusions

To summarize, the tasks and functions of the Cyber Police Department of the National Police of Ukraine are an essential component in identifying the specific features of its activities and its administrative and legal status. The effective implementation of the Department's powers depends on a clear legislative understanding of its tasks and functions, which serve as a foundational element of the administrative and legal status of any public authority.

The implementation of the National Police's tasks in Ukraine is carried out on the basis of principles enshrined in current legislation, taking into account contemporary trends in European integration. These principles, as guiding ideas underlying the functioning of each police authority and unit, are intended to contribute to the further development of the police as an institution aligned with European standards. In turn, the tasks of the police determine the means through which police activities are carried out, which are grounded in these principles.

The functions of the Cyber Police Department of the National Police of Ukraine represent a set of administratively, operationally-investigative, regulatory, staffing, informational, and preventive activities codified at the normative-legal level. The execution of these functions is driven by the Department's mission to prevent and combat cybercrime.

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ЗАВДАННЯ ТА ФУНКЦІЇ ДЕПАРТАМЕНТУ КІБЕРПОЛІЦІЇ В УКРАЇНІ

Анотація. Метою статті є аналіз законодавчого розуміння завдань та функцій Департаменту кіберполіції Національної поліції України. **Результати.** У сучасних умовах розвитку інформаційних технологій, злочинність дедалі частіше набуває різних форм та використовує різні методи злочинної діяльності, саме тому протидія злочинам, що націлені на електронне управління, електронне банківське обслуговування, електронну комерційну діяльність тощо, є одним із чинників розбудови України як демократичної, правової держави з пануванням принципів законності та верховенства права, а також дотримання прав людини й громадянина. Станом на сьогодні основні сподівання щодо забезпечення безпеки сучасного кіберпростору покладається на Департамент кіберполіції Національної поліції України як міжрегіональний територіальний орган зі статусом юридичної особи публічного права. Визначення завдань та функцій Департаменту кіберполіції Національної поліції України є важливою складовою визначення особливостей його діяльності та адміністративно-правового статусу. Запропоновано авторське визначення поняття «завдання Департаменту кіберполіції Національної поліції України», де останні являють собою визначені на нормативно-правовому рівні шляхи досягнення конкретної мети діяльності, а саме – реалізація державної політики у галузі протидії кіберзлочинності, інформаційно-аналітичне забезпечення керівництва Національної поліції України та органів державної влади про стан вирішення питань, віднесених до компетенції кіберполіції. **Висновки.** Із урахуванням специфіки діяльності Департаменту кіберполіції Національної поліції України доцільним вбачаємо визначити власну класифікацію завдань кіберполіції на: загальні та спеціальні, та на завдання, що не пов'язані із державною таємницею та такі, що пов'язані із державною таємницею. У свою чергу, завдання тісно переплітаються із напрямками діяльності, його мають назву «функції». Функції Департаменту кіберполіції Національної поліції України пропонуємо запропоновано визначити наступним чином, - це комплекс закріплених на нормативно-правовому рівні адміністративних, оперативно-розшукових, нормотворчих, кадрових, інформаційних і профілактичних напрямів діяльності цього правоохоронного органу, виконання яких зумовлено завданнями у сфері протидії кіберзлочинності.

Ключові слова: завдання, функції, Департамент кіберполіції в Україні, кіберпростір, адміністративно-правовий статус.

The article was submitted 13.11.2024

The article was revised 04.12.2024

The article was accepted 24.12.2024