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SYSTEM OF INTELLIGENCE AND SPECIAL SERVICES OF UKRAINE: FEATURES OF INTERACTIONS AND IMPACT ON FOREIGN POLICY

Summary. The article covers the history, structure, functions and tasks of the intelligence and special services of Ukraine. On the basis of analysis of the history, tasks and activities, the influence of the Ukrainian intelligence services on its foreign policy was investigated. Intelligence activities are one of the most effective tools of foreign policy, protection of national interests and people.

Keywords: Ukraine, intelligence, intelligence agency, foreign policy, security.

СИСТЕМА РОЗВІДУВАЛЬНИХ І СПЕЦІАЛЬНИХ СЛУЖБ УКРАЇНИ: ОСОБЛИВОСТІ ВЗАЄМОДІЇ І ВПЛИВУ НА ЗОВНІШНЮ ПОЛІТИКУ

Анотація. У статті розглянуто історію, структуру, функції та завдання розвідувальних та спеціальних служб України. На основі аналізу історії, завдань та діяльності українських спецслужб досліджено їхній вплив на зовнішню політику. Розвідувальна діяльність є одним із найефективніших та незамінних знарядь зовнішньої політики, захисту національних інтересів, забезпечення безпеки та оборони. Адекватна участь розвідувальних служб у політичному процесі формує базові геополітичні підвалини розвитку держави та перспективні напрями як міжнародних, так і внутрішніх відносин.

Ключові слова: Україна, розвідка, спецслужба, зовнішня політика, безпека.

The problem statement. For many centuries, one of the most important components of the state's activity has been conducting intelligence actions to achieve its strategic goals. An error in analysis made by an agent may be too valuable for further development of the state. Or the success of the special services officer may remain unnoticed, although it will make a great success for the state and its population.

However, it is difficult to study the activities of intelligence and special services, because of their secrecy. After all the specifics and importance of their work, the use of secret sources, requiring exceptional confidentiality, naturally requires the classification of most information about their activities, structure and personnel.

In a democratic state, intelligence and counter-intelligence agencies, on the one hand, must be effective in order to protect the democratic values of society and promote its progressive development, on the other hand, they must be politically neutral, to act within the limits of the powers established by law, in accordance with constitutional and legal norms and democratic principles.

The analysis of the sources and recent researches. The topic of the article is not studied in the foreign science. As to the domestic literature, a comprehensive study of the activities of intelligence agencies and special services of Ukraine has not been conducted yet. However, the history and activities of the intelligence agencies from the earliest times and till the proclamation of Ukraine's independence have been most widely studied. As for the intelligence services of independent Ukraine, the best this issue is covered in the following works: Vedenev D., Bukin V. "Special services in the history of the Ukrainian State", 2003; Tsybulkin V., Rozhen L., Vedenev D.

“Essays on the history of intelligence of subjects of state-building on the territories of Ukraine”, 2011; Skrypnyk O. “The Foreign Intelligence Service of Ukraine: History and Present”, 2012; Hvozdz V. “Military intelligence of Ukraine at the beginning of the second millennium”.

The bibliography of the article consists of normative legal acts, interviews with authorized persons, articles, and information publications. The bases for this article are: Law of Ukraine No. 2229-12 “On the Security Service of Ukraine” (1992), Law of Ukraine No. 2331-III “On the intelligence agencies of Ukraine” (2001), Law of Ukraine No. 374-IV “On counterintelligence activities” (2002), Law of Ukraine No. 3160-IV “On the Foreign Intelligence Service of Ukraine” (2005), as well as information available on the official website of the Foreign Intelligence Service of Ukraine (<http://www.szru.gov.ua>), the Security Service of Ukraine (<https://ssu.gov.ua/>), the Defense Intelligence of the Ministry of Defense (<http://gur.gov.ua/>), National Security and Defense Council (<http://www.rnbo.gov.ua/>).

The publication’s purpose. In the conditions of rapid spread of information, conducting effective internal and external state policy requires prompt and complete information, a thorough and thoughtful analysis and forecast. The state must have a reliable tool for influencing political and economic processes both at home and abroad in order to fulfill national interests. Intelligence and counter-intelligence services are those tools. That is why the success of Ukrainian authorities and peace in Ukraine depend on effective and coherent actions of Ukrainian intelligence, as well as on timely, credible and comprehensive information and forecasts of developments for the near future. So, the importance of intelligence activities for the stable functioning of the state, especially in the context of the Ukrainian-Russian conflict, determines the high relevance of the study of the formation, tasks, methods and interaction of state bodies that carry out intelligence and counter-intelligence activities, namely: the Foreign Intelligence Service of Ukraine (SZRU), the Security Service of Ukraine (SBU), the Defense Intelligence of the Ministry of Defense (GUR MO) and the Office of Intelligence of the Administration of the State Border Guard Service of Ukraine.

The presentation of the basic material. Intelligence, which today is an integral part of the functioning of any state, dates back to ancient times. The presence of intelligence can be traced from biblical times and it is the Bible where the intelligence activities were mentioned for the first time, which is considered one of the oldest professions in the world (Pyk, 2017: 28). However, real intelligence, as we understand it now, was born in a new era. At the turn of the 16th-17th centuries, there was an increase in permanent armies and professional diplomats, as well as the creation of the first government agencies that carried out intelligence activities as a result of growth of nationalism (Pringle, Ransom, 2016).

The Ukrainian state did not become an exception. An analysis of the available historical materials of the period of Kyiv Rus, the Galician-Volyn principality, the Hetmanate, the Ukrainian People’s Republic, the State Center of the Ukrainian People’s Republic (UPR) in emigration, the movement of Ukrainian nationalists and the UPA shows that from the oldest times Ukrainian authorities paid serious attention to the role of intelligence in defending national interests, building interstate relations, planning and conducting military operations. However, a number of unfavorable external factors, internal contradictions between the authorities, the inability to analyze the situation, and, as a result, the unsuccessful decision made by the leadership of the Zaporozhian Sich, all this led to the division of Ukraine between several states for several hundred years, and hence to the decline of Ukrainian intelligence. Surely the external intelligence during the Soviet occupation was successful, difficultly structured. In those days, many Ukrainian agents gained fame in important secret operations, and although they were working in the USSR, their dedication and skill are an example for current employees of the intelligence agencies of Ukraine. The

importance of studying history is to remember mistakes of the past, but to use only the successful experience of the operation of the special services. And the heroic actions of individual intelligence officers of the Ukrainian state should be an example of patriotism for the younger generation.

After the proclamation of independence on August 24, 1991, the question about creation of new state institutions to protect the sovereignty of Ukraine and solve other tasks in the field of ensuring national security was raised. Foreign intelligence as one of the tools of politics had to undergo a series of transformations: it was necessary to create a new intelligence agency of independent Ukraine, rethink the intelligence doctrine, and develop a new concept of conducting intelligence activities.

Thus, on September 20, 1991, the Parliament passed a resolution “On the Establishment of the National Security Service of Ukraine”. In the period from November 1991 to February 1992, thanks to the joint work of the parliamentary committee, few departments of the National Security Service of Ukraine were established: the Main Directorate of Intelligence, the Central Directorate of Counter-Intelligence, the Office “K” (against corruption and organized crime). On March 25, 1992, the National Security Service of Ukraine was renamed into the Security Service of Ukraine (White Book, 2007).

The Foreign Intelligence Service of Ukraine (SZRU) started its activity on October 14, 2005, the day when the President of Ukraine signed the Decrees “On the Foreign Intelligence Service of Ukraine”. Since then, created on the basis of the Intelligence Department of the SBU, it has been functioning as an independent state body. Later, on December 1, 2005 the Verkhovna Rada approved the Law “On the Foreign Intelligence Service of Ukraine”. The SZRU was formed to meet principal demands of the Service. It includes HUMINT, SIGINT, operative, analytical, technical, research and development departments, as well as logistics, internal security department and the SZRU Institute. Military intelligence and intelligence of the State Border Guard Service were created in the first years after the proclamation of independence. All intelligence bodies of Ukraine have been developing for all this time. But the most important transformations are happening now. Since the reform of the national security sector has taken place, many legal acts have been adopted in order to bring security and defense activities of Ukraine closer to NATO standards.

So, independent Ukrainian intelligence and counterintelligence bodies have inherited a powerful technical potential and, most importantly, professional workers. But at the same time, part of the workers turned out to be agents of the former member states of the USSR, mostly Russia. Foreign agents should be revealed and punished systematically and decisively. In addition, improvement of the legislative framework is the first step towards the creation of effective intelligence and counterintelligence agencies of Ukraine, but another very important step is the full implementation of the new legislation, control over the activities of the above-mentioned bodies and the effective coordination of their actions. The boundary between the activities of these bodies is blurred, which is, on the one hand, a positive moment, because it allows healthy competition between agencies. But, on the other hand, it requires a strong coordinating body to ensure that the obtained information is complete and verifiable. The direct coordinating body is the Joint Committee on Intelligence under the President of Ukraine, and the general leadership according to the Law of Ukraine “On Intelligence Authorities of Ukraine” is exercised by the President through the National Security and Defense Council. But so far, the Joint Committee has no real influence and power, and therefore coordination is not fully implemented.

The distinction between the functions of intelligence and special services is based on the territorial principle (Zakon Ukrainy № 2331- III, 2001). So, SZRU operates outside Ukraine, GUR MO performs its functions both on the territory of our country and abroad, and the SBU – on the territory of Ukraine. At the same time, the

intelligence agencies of Ukraine should work in the atmosphere of cooperation and interaction. But the creation of healthy competition will also have a positive impact on the work of Ukrainian intelligence services (Chernysh, 2015: 196).

Article 4 of the Law of Ukraine No. 2331-III “On the intelligence agencies of Ukraine” March 22, 2001, divides the spheres of activity of the intelligence agencies of Ukraine. Thus, according to it, the Foreign Intelligence Service has the authority to conduct intelligence in the political, economic, military-technical, scientific-technical, informational and environmental spheres. The Defense Intelligence of the Ministry of Defense of Ukraine is the military intelligence of Ukraine and carries out its activities in the military, military-political, military-technical, military-economic, informational and environmental spheres. The Office of Intelligence of the Administration of the State Border Guard Service of Ukraine, in accordance with the laws of Ukraine, conducts intelligence activities of border and immigration policy, as well as in other areas related to the issues of protection of the state border of Ukraine and its sovereign rights in the exclusive (maritime) economic zone.

The role of intelligence agencies in the internal and external policy of the states has always been important, whether during the war or in the peaceful time. On the one hand, intelligence services indirectly form the foreign policy of the state, obtain and analyze timely and relevant information, as well as forecast possible scenarios. The information provided and analyzed by the intelligence services are the basis for such documents as the White Paper, the National Security Strategy, the Military Doctrine, etc., which define both the foreign policy and the domestic course of the state. The implementation of such documents is constantly accompanied by the activities of intelligence agencies which evaluate the results and serve as a feedback mechanism. Thus, intelligence forms the vision of a foreign policy trends and influences the decisions made by the high officials.

However, on the other hand, there is a feedback between the leaders of the state and the intelligence services: senior officials implement the chosen policy course through a public mechanism – political and diplomatic, as well as secret - intelligence. Thus, the state leadership sets certain tasks to the intelligence services, and then intelligence became an important tool for defining and implementing the foreign policy course of the state, developing a geopolitical strategy and defense doctrine. After all, the primary task of state authority is the realization of national interests and the provision of national security, and if methods, other than intelligence, cannot achieve these tasks, then intelligence uses its own capabilities. However, sometimes intelligence leads to negative consequences for the country’s foreign and domestic policy. For example, if the bodies defining foreign policy don’t control intelligence agencies, they begin to act in its own interests. Or if the intelligence or counterintelligence agencies are weak, then there is the risk of turning it into an instrument of political leadership of the country and failure to fulfill the direct functions determined by law. In Ukraine, the process of formation of independent bodies and the institution of state power took quite a bit of time, so the relations of intelligence agencies and state institutions have not yet been formed. Intelligence agencies and their information product often remain behind the political process of adopting and implementing political decisions, but it depends primarily on government leadership. In Ukrainian society, the discussion on the role, tasks and reform of intelligence and special services continues, and a system of democratic civilian control over their activities is being developed.

Today it is difficult to draw any conclusions about the current activities of foreign intelligence, because its results will be known only after many years as a result of the disclosure of archives. But according to the words of the President of Ukraine P. Poroshenko, the Foreign Intelligence Service of Ukraine has proved its ability to take active measures and carry out information and analytical activities. So, responsibility

for inaction during the time of the highest threat to Ukraine lies equally on all special services and senior officials who should have taken steps to protect the state sovereignty and territorial integrity of Ukraine. Under these conditions, the highest national priority is the further strengthening of the security and defense sector. During the external aggression, the development of the Armed Forces, the National Guard, the Security Service of Ukraine, law enforcement and intelligence agencies is without the condition for the survival of independent Ukraine and its development.

Thus, modern intelligence and counterintelligence agencies of Ukraine have undergone a difficult period of formation, and their history is inextricably linked with the process of strengthening state independence. At the beginning of the creation of the special services, they were developing and acting in parallel to each other, except for the foreign intelligence that was part of the SBU. It was important for the state to pass the law “On the Foreign Intelligence Service of Ukraine” in 2004 and to separate it from the law enforcement agencies of the state, in accordance with the principles of democratic countries. Taking into account the current geopolitical situation and the need of ensuring national security, the state needs to adjust the main tasks and principles of the SZR, SBU, GUR MO. Therefore, each of these bodies are undergoing large-scale reforms. But these bodies, as the most secret structures of the state, are the most difficult to transform. A full-fledged reform requires a political will of the state’s authority, as well as the presence of professionals and patriots.

The main tasks of the Ukrainian intelligence and counterintelligence agencies are the obtaining and analysis of information and the provision of it to a certain circle of persons, especially to the highest authorities, as well as ensuring the realization of national interests and national security of Ukraine. In order to carry out functions determined by law, first of all, human intelligence is used, which can secure Ukraine’s strong positions in political, economic, technological, military spheres, and can also contribute to the profits from economic and military-technical projects. After all, information that can be gained from illegal positions, almost never can be obtained from the so-called legal positions, even using modern technical equipment. Although the technical support of the special services is at a rather high level, especially radio electronic intelligence, but due to lack of funding, Ukraine can not provide those bodies with the up-to-date developments in the field of intelligence activities that the most powerful intelligence in the world has.

Nevertheless, for the 28 years of its existence, the SBU has many achievements both at the internal and external levels. Even though the Security Service is primarily a structure designed to protect the interests and citizens of Ukraine, however, quite often the results of its activities have impact on the international level, since crimes against peace, life and health of people have no borders. Therefore, there is place for cooperation of special services of friendly states. But in order to ensure regular cooperation between Ukrainian and foreign special services, Ukraine must confirm its European integration aspirations through successful reforms. SZRU, despite short period of its existence, has already fulfilled a lot of tasks which is public now, such as protecting Ukrainian citizens, informing the leadership of the state about probable threats to national security and possible conflicts near Ukraine. So, intelligence has also affected the adoption of certain decisions and actions by the Ukrainian authority on the international arena (SBU report, 2017). However, the most important consumers of intelligence information do not always respond correctly to received data, and promote its activities. This led to the situation in which Ukraine is now - the loss of Crimea and the Donbas occupation by Russian troops. Still, a lot of what the Foreign Intelligence Service is doing now is unknown and will remain secret for decades. But this is exactly the success of the Service – its secrecy. The secret intelligence successes reinforce Ukraine’s position on the international arena, while its failures hurt the prestige of the state, putting diplomacy in a disadvantageous position. Unfortunately,

the issue of the interaction between diplomatic service and intelligence agencies is mentioned very rarely, although both structures work in the foreign arena, but use different methods. The realization of such interaction could take place through the involvement of the Ministry of Foreign Affairs in the work of the Joint Committee on Intelligence under the President of Ukraine. Indeed, in today's dynamic development of international relations and geopolitical processes, intelligence plays an important role in rapid information provision of diplomacy and taking most advantageous political decisions.

Conclusions. As security and defense reforms in Ukraine, particularly intelligence agencies and special services, are being implemented in Ukraine the outlook of further research is high enough. Moreover, new information on the effectiveness of these structures appears from time to time. In addition, the Ukrainian intelligence services are important participants in the Russian-Ukrainian conflict and are important structures in defending Ukrainian statehood and citizens' security along with the military bodies. Thus, intelligence activities are one of the most effective and irreplaceable tools of foreign policy, protection of national interests, security and defense against enemies. Adequate participation of intelligence services in the political process forms the basic geopolitical foundations of the state's development and perspective directions of both international and internal relations.

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