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IMAGE ASPECT OF THE PARTICIPATION OF THE POLISH ARMED FORCES IN UN PEACEKEEPING OPERATIONS BASED ON THE EXAMPLE OF UNIFIL

ASPEKT WIZERUNKOWY UDZIAŁU SIŁ ZBROJNYCH RP W OPERACJACH POKOJOWYCH ONZ NA PRZYKŁADZIE UNIFIL

Abstract: The authors of the article present the results of research on the image aspect of the participation of the Polish Armed Forces in UN peacekeeping operations based on the example of UNIFIL. The aim of the article is to identify Poland's image in terms of participation in UNIFIL and the main determinants influencing the perception of Polish personnel in this peacekeeping operation. The research problem was expressed in the question: how does the participation of the Polish Armed Forces in a peacekeeping operation in Lebanon affect Poland's image in the international arena? The assumed research goal was achieved through interviews with soldiers serving in the peacekeeping operation, the authors' own observations, as well as the analysis of statistical data and the content of Polish and multinational strategic documents. The results of the conducted research indicate a positive attitude of the Lebanese citizens towards Polish staff.

A significant fact is the creation of a positive image of Poland in the international arena by fulfilling allied obligations, thus contributing to the stabilization of the security situation on a regional and global scale. Another equally important aspect is the actual contribution of the Polish Armed Forces to building peace in the area of the Israeli-Lebanese border and the entire Middle East region. Analysing issues related to the image aspect, the authors conclude that the further participation of Polish soldiers in the mission on the territory of the Republic of Lebanon is justified.

Zarys treści: Autorzy artykułu prezentują wyniki badań dotyczących aspektu wizerunkowego partycypacji Sił Zbrojnych RP w operacjach pokojowych ONZ na przykładzie UNIFIL. Celem artykułu jest identyfikacja cech wizerunkowych Polski w aspekcie jej udziału w UNIFIL oraz głównych determinant wpływających na postrzeganie polskiego personelu w tej operacji pokojowej. Problem badawczy został wyrażony pytaniem: jak udział SZ RP w operacji pokojowej na terenie Libanu wpływa na wizerunek Polski na arenie międzynarodowej? Założony cel badawczy został osiągnięty za pomocą wywiadów z żołnierzami pełniącymi służbę w operacji pokojowej będącej przedmiotem analizy, własnych obserwacji autorów publikacji, jak również analizy danych statystycznych oraz treści polskich i wielonarodowych dokumentów strategicznych. Wyniki przeprowadzonych badań wskazują na pozytywny stosunek lokalnej społeczności wobec personelu RP. Wywiązywanie się Polski ze zobowiązań sojuszniczych to fakt znaczący, który kreuje pozytywny obraz RP na arenie międzynarodowej i przyczynia się do stabilizacji sytuacji w zakresie bezpieczeństwa w skali regionalnej oraz globalnej. Inny równie istotny element to rzeczywisty wkład SZ RP w kształtowanie pokoju w rejonie granicy izraelsko-libańskiej oraz w regionie Bliskiego Wschodu. Po przeanalizowaniu kwestii dotyczących aspektu wizerunkowego autorzy konstatują zasadność dalszej partycypacji polskich żołnierzy w misji na terytorium Republiki Libańskiej.

Key words: international security, United Nations, UNIFIL peacekeeping operation, Polish Armed Forces, image aspect.

Słowa kluczowe: bezpieczeństwo międzynarodowe, Organizacja Narodów Zjednoczonych, operacja pokojowa UNIFIL, Siły Zbrojne RP, aspekt wizerunkowy.

Introduction

Poland's involvement in the United Nations Interim Force in Lebanon (United Nations Interim Force in Lebanon, UNIFIL) began in 1992, with the replacement of Norwegian and Swedish medical personnel in charge of the field hospital in An-Nakura,[1] where the mission's Headquarters are still located today.

More than twenty years of participation of the Armed Forces of the Republic of Poland (SZ RP) in the structures of UNIFIL, during which there have been a number of modifications to the scale of involvement, role, tasks and deployment of Polish personnel, allowed for the collection of relevant experience regarding the area of operations, as well as functioning in United Nations (UN) peacekeeping operations.

Undeniably, the participation of troops in missions abroad is one of the key factors shaping the perception of the Polish Armed Forces in the international environment. Although the image aspect should not play the role of the main criterion in relation to involvement in individual undertakings of a multinational character, this factor undoubtedly influences the manner and scale of implementation of the assumptions of strategic documents of the UN, or regional organisations and military allied structures. However, it should be noted that the contents of national or international concepts and agreements, emphasise the essence of participation in operations under the aegis of the Organisation, which create a positive attitude towards Poland, including the SZ.

The aim of the publication is to present Poland's image in respect of participation in UNIFIL and the main determinants influencing the view towards the presence of Polish personnel in this peacekeeping operation. The authors of the article conducted research on issues related to the influence of involvement in missions abroad on the perception of the SZ in the international environment, as well as in the place of temporary deployment of troops. The area towards which the above-mentioned activities were undertaken was the Republic of Lebanon, where Poland has been part of the UNIFIL force over the past decades.[2] The problem addressed in this publication was defined by the question:

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[1] *Tymczasowe Siły Zbrojne Organizacji Narodów Zjednoczonych w Libanie*, Wojsko Polskie, https://www.wojsko-polskie.pl/weterani/articles/historia-misji-n/2020-05-11x-tymczasowe-siy-zbrojne-organizacji-narodow-zjednocznych-w-libanie/, (accessed 27.02.2024).

[2] In 2019, Poland reactivated its participation in UNIFIL, after a ten-year break.

how does the participation of the Polish Armed Forces in a peacekeeping operation in Lebanon affect the image of Poland? The authors, on the basis of their research, have thus determined the main factors that shape the image among the Lebanese public related to the Polish involvement in UNIFIL, thus assessing the legitimacy of continued participation in the mission in question. The considerations were based on interviews conducted with military personnel serving in the past within the framework of the undertaking in question, the authors' own observations, as well as a detailed analysis of statistical data and selected publications dealing with this subject. The aim of the article was to conduct a relevant analysis, presenting objective conclusions in a synthetic manner, thus providing a basis for further considerations regarding the legitimacy and impact of Poland's participation in UN peacekeeping operations, with particular emphasis on UNIFIL.

The significance of Poland's participation in UN peacekeeping operations

The United Nations, as the successor to the League of Nations, was established after the end of the Second World War. Its main objective is "to maintain world peace and security and to develop friendly relations among member states."[3] One of the instruments used in the pursuit of these objectives are peacekeeping operations, the theoretical formulation of which in UN nomenclature and official documents was preceded by a practical formula.[4] The reason for this was that it was not until 1965, i.e. when the Special Committee on Peacekeeping Operations[5] was established, that this concept was officially introduced into the Organisation's terminology.

The first UN-mandated mission that is still in place today is the United Nations Truce Supervision Organisation, established on 29 May 1948.[6] The main

[3] Ministerstwo Zdrowia, *Organizacja Narodów Zjednoczonych*, Serwis Rzeczypospolitej Polskiej, https://www.gov.pl/web/zdrowie/organizacja-narodow-zjednoczonych, (accessed 22.02.2024).

[4] D. Kozerawski, *Operacje pokojowe jako środek stabilizacji sytuacji w środowisku międzynarodowym. Międzynarodowe operacje pokojowe i stabilizacyjne w polskiej polityce bezpieczeństwa w XX i XXI wieku*, AON, Warszawa 2016, p. 11.

[5] Ibidem.

[6] Based on UN Security Council Resolution of 29 May 1948, S/RES/50, https://www.unic.un.org.pl/misje_pokojowe/untso.php, (accessed 25.02.2024).

purpose of its establishment was "…to monitor the ceasefire, prevent incidents, supervise truce agreements and cooperate with other peacekeeping missions operating in the region."[7] Over the years, there has been a variable intensification of UN activities in terms of establishing peacekeeping operations. It is worth mentioning that by 1988 only 13[8] such operations had been launched, while up to now there have been 74[9] such operations under the aegis of the Organisation. The observed variability also concerned the fact that selected regional organisations more frequently established their own missions.[10] For Poland, the first venture into participation in missions abroad was the entry into the Supervisory Commission of Neutral States, established after the end of the Korean War and the conclusion of the Armistice Agreement in 1953.[11] Over the past decades, the scale of Poland's involvement in missions abroad has undergone many transformations, including with regard to the allocation of a contingent to the UNIFIL mission.

Poland's participation in UN peacekeeping operations is currently an important element of Poland's security policy. Justification for this statement is provided by the fact that the issue in question has been taken up for years in the contents of national strategic documents. Referring to the provisions of the 2020 National Security Strategy, attention should be drawn to the emphasis on the importance of "…Poland's involvement in missions and operations of the North Atlantic Alliance, the European Union, the United Nations, the Organisation for Security and Cooperation in Europe, as well as those of a coalition nature."[12] The conclusion to the above statement seems to be the growing importance of multinational security cooperation on both a regional and global scale. This should also be understood in the category of the development of partnerships, through multilateral peacebuilding efforts and thus the accumulation of common experiences in international cooperation. Undoubtedly, this

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7 Ibidem.

8 A. Cianciara, *Operacje pokojowe*, in: A. Florczak, A. Lisowska (eds.), *Organizacje międzynarodowe w działaniu*, OTO Agencja Reklamowa, Wrocław 2014, p. 14.

9 United Nations Peacekeeping, *Data*, https://peacekeeping.un.org/en/data, (accessed 27.02.2024).

10 P. Żarkowski, *Zasady użycia sił zbrojnych w operacjach pokojowych*, „Doctrina. Studia społeczno-polityczne" 2019, vol. 12, no. 12, pp. 183–204.

11 UN Security Council Resolution of 29 May 1948, op. cit.

12 *Strategia Bezpieczeństwa Narodowego RP z 2020 roku*, rozdz. *Środowisko bezpieczeństwa*, p. 10, https://www.bbn.gov.pl/ftp/dokumenty/Strategia_Bezpieczenstwa_Narodowego_RP_2020.pdf, (accessed 21.02.2024).

type of activity directly fits into the assumptions of meeting alliance obligations and implies the credibility of the country in the category of partner.[13]

The content of the National Security Strategy of the Republic of Poland also includes the statement that Poland "will pursue [– author's note] national interests and with a sense of solidarity participate with allies and partners in missions and operations conducted by international organisations (including the United Nations, the North Atlantic Alliance, the European Union and the Organisation for Security and Cooperation in Europe) and in a coalition format, taking into account commitments under UN Security Council Resolution 1325 – Women, Peace and Security."[14] The indication of the above theses in a document of a strategic nature warrants the recognition of these objectives in the key and priority categories with regard to Poland's involvement in the international security system. Poland's continuous participation in peacekeeping operations unequivocally indicates its approval of the main mission of the UN, i.e., among other things, efforts to promote world peace.[15]

The image aspect of the participation of the Polish Armed Forces in UNIFIL

The creation of the UNIFIL force was based on UN Security Council resolutions S/RES/425 and S/RES/426 of 19 March 1978.[16] The main determinant was the entry of the Israel Defence Forces into Lebanon as part of Operation Litany.[17] The purpose of the establishment of this mission was "…to monitor the withdrawal of Israeli forces from Lebanon, to restore peace and security in the area and to assist the Lebanese Government in exercising effective authority."[18]

The Polish Armed Forces did not begin their participation in UNIFIL until 1992 with primary responsibility for the operation of the Mission Headquarters Field Hospital. Over the years, tasking issues have undergone many modifications.

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[13] Ł. Jureńczyk, *Wysyłanie polskich żołnierzy na misje poza granicami kraju w świetle krajowego ustawodawstwa i doktryny obronnej*, „Rocznik Bezpieczeństwa Międzynarodowego" 2012, no. 5, pp. 133–152.

[14] *Strategia Bezpieczeństwa Narodowego RP z 2020 roku*, op. cit., p. 25.

[15] Ł. Jureńczyk, op. cit.

[16] UN Security Council Resolution of 29 May 1948, op. cit.

[17] Z. Groszek, *Siły Zbrojne RP w procesie utrzymania bezpieczeństwa międzynarodowego w Korei, na Półwyspie Indochińskim, na Bliskim Wschodzie i na Bałkanach*, „Przedsiębiorczość i Zarządzanie" 2017, vol. 18, iss. 5, part 2, pp. 163–176.

[18] *Tymczasowe Siły Zbrojne Organizacji Narodów Zjednoczonych w Libanie*, op. cit.

This included the deployment and the structures created. The withdrawal of Polish troops from participation in the peacekeeping operation in Lebanon in 2009[19] was justified by the priority of other multinational undertakings under the aegis of the European Union and the North Atlantic Alliance, with particular emphasis on participation in the mission in Afghanistan.[20] The reactivation of the Polish involvement in UNIFIL, which has continued to the present day, took place in 2019, by creation of a Polish-Irish battalion.[21] The current legal act, which is the basis for directing dedicated forces and resources from the Polish Armed Forces, is the Decision of the President of the Republic of Poland of 31 August 2023 on the extension of the use of the Polish Military Contingent in the Lebanese Republic.

As stated in § 2 para. 2 of this document, the general tasks of Polish personnel include:

- "monitoring the ceasefire and cessation of hostile activitiesin the area of responsibility, with particular reference to the so-called 'Blue Line';
- supporting the Lebanese Armed Forces in carrying out their tasks and building their operational capacity;
- supporting and protecting the local population."[22]

The image issue in the case of the UNIFIL mission is the result of many factors significantly influencing the perception of Poland, including the Polish Armed Forces in the international arena. Undoubtedly, the basic component, contributing to building a relevant opinion, is the fulfilment of the obligations of the provisions of multinational documents. In this way, the country gains the name of a reliable ally, towards which trust seems to be somehow justified. It also provides a basis for partial influence in the settlement of decisions in the area of bilateral or multilateral partnerships with other countries, not only limited to security issues, but also economic, cultural and social issues.

The above factor is also related to the field of international cooperation in the area of deployment of a peacekeeping operation. An adequate example of this

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[19] G. Ciechanowski, *Misje pokojowe ONZ na Bliskim Wschodzie w okresie zimnej wojny*, „Bezpieczeństwo. Teoria i Praktyka" 2013, no. 2, pp. 85–102.

[20] P. Hudyma, *Udział wojsk polskich w misjach zagranicznych o charakterze pokojowym i stabilizacyjnym w latach 1953–2008, 1953–2008*, Ph.D. diss., Uniwersytet Adama Mickiewicza w Poznaniu 2011, p. 236.

[21] *Powrót Wojska Polskiego na misję pokojową ONZ w Libanie*, Wojsko Polskie, https://www.wojsko-polskie.pl/dorsz/pkw-unifil/, (accessed 27.02.2024).

[22] Order of the President of the Republic of Poland of 31 August 2023 to extend the period of use of the Polish Military Contingent in the Lebanese Republic, M.P. 2023, item 901, paragraph 2.

thesis, is the formation of the Polish-Irish battalion in the structures of the Western Sector of the UNIFIL mission. Close cooperation on substantive issues, division of competences, combined with the possibility of sharing experience significantly influences image issues, thus contributing to the creation of capabilities in the potential occurrence of the need to perform analogous tasks in future multinational undertakings.

An important component towards the image aspect is the perception of the personnel of the Polish Military Contingent in UNIFIL among the Lebanese community. It should be noted that a significant role is played by soldiers in charge of civil-military cooperation, whose activities contribute significantly to the stabilisation of many processes in the Republic of Lebanon. Development projects,[23] the implementation of which is based on the improvement of the quality of life of citizens in the southern part of Lebanon implies a positive attitude towards Poland. In addition, the involvement in undertakings aimed at promoting Polish cultural heritage and history, contribute to increasing the awareness of the Lebanese society towards Poland. This factor should be addressed bilaterally, through appropriate awareness-raising of Polish personnel on selected cultural issues of the host country. Adequate factual preparation allows for a better understanding of individual situations, while at the same time enabling the anticipation of possible consequences through the proper recognition of selected symptoms. Situational awareness associated with possessing basic knowledge of prevailing customs, religions and social habits can significantly influence the positive image of the country forming a military contingent in the mission area through noticeable tolerance, as well as respect towards the local community. In addition, it contributes to reducing the risk of unintentional incidents that could trigger situations perceived as scandalous or cause an escalation of tensions that would result in situations threatening the safety of soldiers. The relatively small number of unfriendly incidents towards Polish personnel indicates a positive attitude towards the RP, despite the PKW's deployment, which is often treated in the category of a challenge, i.e. in an area mainly inhabited by supporters of Hezbollah (Lebanese radical Shiite party) and the Amal Movement. The progressive economic crisis in Lebanon undeniably increases the importance of UN assistance from the point of view of the people. The deployment

[23] E.g. the Polish Centre for International Aid (PCPM) project *Support for equal opportunities – improving the quality of life of the population*, which was initiated by the personnel of the Polish Military Contingent in UNIFIL. See CIMIC PKW UNIFIL, *Kolejny projekt zrealizowany*, Wojsko Polskie, https://www.wojsko-polskie.pl/dorsz/articles/aktualnosci-w/kolejny-projekt-zrealizowany/pdf/, (accessed 24.02.2024).

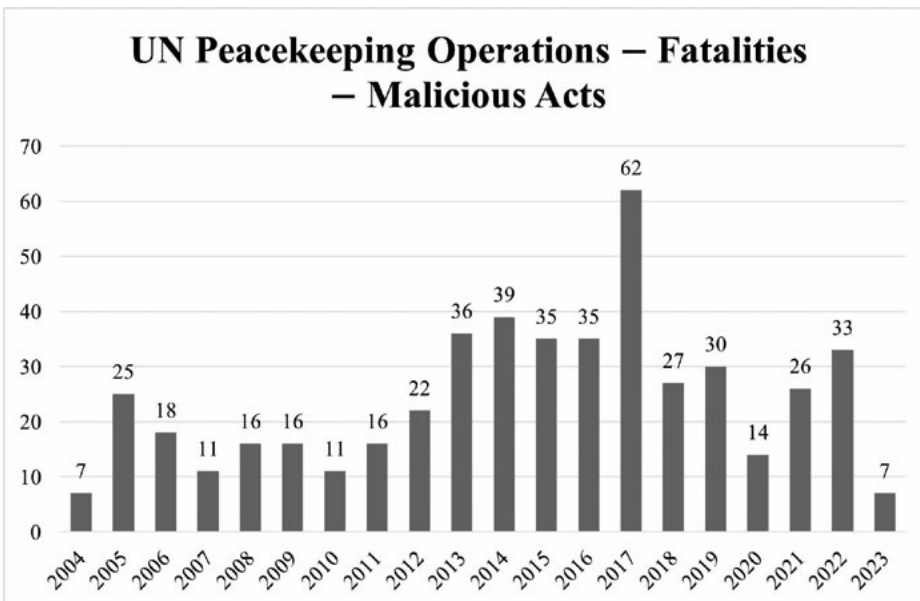
of peacekeepers implies an increased demand for particular goods and services, as well as the possibility of employing Lebanese in the structures of the Organisation or in logistical services.

The image aspect should also be considered from the point of view of the overall UN activity, including the chosen peacekeeping operation. The overall purpose of the mission promotes the internal stability of the country by influencing the de--escalation of tensions and thus the citizens' sense of security.

An important issue related to the perception of UNIFIL peacekeepers is the number of incidents directed at mission personnel. As determinants of such incidents, one can primarily point to provocative actions, often aimed at portraying a given situation in a pejorative light, including by creating a political or propaganda media message. From the opinions obtained from the interviews conducted by the authors of the publication, it should be concluded that other causes are also a kind of coercion of given decisions, procedural changes with regard to the functioning of the mission, or presentation of force.

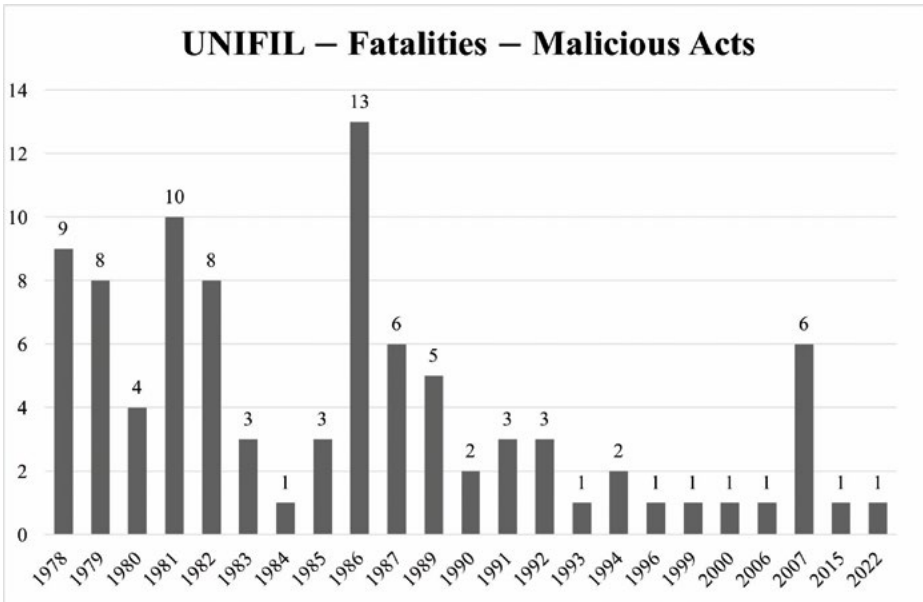
Based on the data periodically made available by the UN, there is a wide variation in the number of fallen peacekeepers from both UNIFIL (Figure 2) and other peacekeeping operations under the aegis of the Organisation (Figure 1), where intentional acts of aggression were the cause.

Figure 1. UN peacekeeping operations – Fatalities – Malicious acts



Source: own compilation based on United Nations Peacekeeping, *Fatalities*, https://peacekeeping.un.org/en/fatalities, (accessed 24.02.2024).

Figure 2. UNIFIL – Fatalities – Malicious Acts



Source: own compilation based on United Nations Peacekeeping, *Fatalities*, https://peacekeeping.un.org/en/fatalities, (accessed 24.02.2024).

Although the above figures indicate some kind of trend in the image of peacekeepers in the eyes of the Lebanese public, they do not reflect the full spectrum of perceptions of UNIFIL. Also significant in this case are minor incidents illustrating attitudes towards current activities or ad hoc implemented modifications.

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Summary

The aim of the article has been achieved by showing the image features of the participation of the Polish Armed Forces in the UNIFIL mission, as well as the key determinants influencing the perception of this phenomenon among the Lebanese public and in the international environment. The assessment of the legitimacy of participation in a given

peacekeeping operation is the result of many factors shaping the final image, both in the group of citizens from the contingent's region of deployment and on a global scale. A favourable image in the eyes of the local population is not always matched by a favourable perception on a regional scale or vice versa. However, in the case of UNIFIL, the opinions of mission participants, statistical data and literature mostly indicate a positive perception of the personnel and activities of this peacekeeping operation. The relatively low number of dangerous intentional incidents against Polish soldiers, allows one to conclude that Lebanese society appreciates Poland's involvement in the mission.

Answering the research question defined in the introduction of the article, it is necessary to emphasise first and foremost the real impact on shaping security in the area of the Israel-Lebanon border, improving the quality of life of citizens in the southern part of Lebanon through initiatives and undertakings carried out by personnel dedicated to civil-military cooperation, fulfilling obligations of an allied nature, as well as implementing security policy in line with the UN strategic assumptions and contributing to building peace on a global scale. Other factors contributing equally significantly to building the correct perception of Poland through participation in UNIFIL are the sharing of experience and cooperation in a multinational formula, providing a basis for free adaptation of the Polish Armed Forces in the event of potential participation in other peacekeeping operations under the aegis of the UN.

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THE DEFENCE SECTOR THROUGH THE PRISM OF EFFECTIVE RESOURCE MANAGEMENT ACCORDING TO NATO STANDARDS

SEKTOR OBRONNY PRZEZ PRYZMAT EFEKTYWNEGO ZARZĄDZANIA ZASOBAMI ZGODNIE ZE STANDARDAMI NATO

Abstract: The article examines issues related to the main current reforms in the defence sector of Ukraine. In the opinion of the author, such reforms should occur as soon as possible to ensure compliance of the legislation and functioning of the national security system of Ukraine with NATO standards and principles; creation of an effective rule of law system; strengthening national guarantees of independence; the development of effective international comprehensive cooperation, in particular through the use of inter-departmental cooperation, as well as the mandatory increase in the effectiveness of the functioning and performance of the functions assigned to them by the security bodies, as well as the speedy improvement of the tools and means of their interaction with each other and with other components of the national security and defence sector of Ukraine. In this regard, the author considers it expedient to consider the principles applied in NATO member countries and the main ways of financing NATO's defence costs. Such an analysis will not only provide an opportunity for effective international support to our country in the process of military operations, but will also be useful for the purpose

of determining the next main steps to bring Ukraine's defence sector financing system into line with international standards and principles.

Zarys treści: W artykule przeanalizowano kwestie związane z głównymi obecnymi reformami w sektorze obronnym Ukrainy. Zdaniem autora te reformy powinny zostać przeprowadzone jak najszybciej, aby zapewnić zgodność ustawodawstwa i funkcjonowania systemu bezpieczeństwa narodowego Ukrainy ze standardami i zasadami NATO; stworzenie skutecznego systemu rządów prawa; wzmocnienie krajowych gwarancji niezależności; rozwój skutecznej międzynarodowej kompleksowej współpracy, w szczególności poprzez wykorzystanie współpracy międzyresortowej, a także obowiązkowe zwiększenie efektywności funkcjonowania i wykonywania funkcji przypisanych do organów bezpieczeństwa, a także szybkie doskonalenie narzędzi i środków współdziałania organów bezpieczeństwa ze sobą oraz z innymi elementami sektora bezpieczeństwa narodowego i obrony Ukrainy. W związku z tym autor uważa za celowe rozważenie zasad stosowanych w państwach członkowskich NATO i głównych sposobów finansowania kosztów obrony NATO. Taka analiza nie tylko zapewni możliwość skutecznego międzynarodowego wsparcia naszego kraju w procesie operacji wojskowych, ale będzie również przydatna do określenia kolejnych głównych kroków w celu dostosowania systemu finansowania sektora obronnego Ukrainy do międzynarodowych standardów i zasad.

Key words: defense sector, NATO, financing, principles, functions, reforming.

Słowa kluczowe: sektor obronny, NATO, finansowanie, zasady, funkcje, reformowanie.

Introduction

In the course of hostilities on the territory of Ukraine, military structures faced challenges in their activities, primarily security challenges, which required a quick response. In addition, society has a clear demand for decisive changes after Ukraine's victory. We believe that the priority is the guarantee of human rights and freedoms, as well as the development of a new democratic state, which should be dominated by the rule of law. In addition, it is necessary to speed up digitization in the defence sector of Ukraine. This issue is relevant for the system of security agencies, which must improve their

potential for quality performance of the functions defined by the legislation of Ukraine.

The changes expected by the country should be as comprehensive as possible and relate to almost all aspects of their functioning: starting from the training and quality selection of highly professional future personnel for military service to ensuring the transparent and efficient functioning of the national system, taking into account NATO standards and other international standards, including on transparency and accountability. Corruption and other existing risks harmful to the country should continue to be eliminated, including using NATO's experience in strengthening the mechanisms of democratic public civil control over the process of making transparent administrative decisions. In addition, the general goal is not only the reform of national security by improving the guidelines of their activities, building an effective management culture, reforming the management structure following the example of NATO and legislative regulation taking into account the European integration of Ukraine, but also the general system of public administration efficiency.

Setting objectives

Today, during the full-scale invasion of Russia on the territory of Ukraine, the main current priorities of reforms, in our opinion, should be the fastest possible provision of the national system of the rule of law; strengthening national guarantees of independence; the development of effective international comprehensive cooperation, in particular through the use of interdepartmental cooperation, as well as the mandatory increase in the effectiveness of the functioning and performance of the functions assigned to them by the security bodies, as well as the speedy improvement of the tools and means of their interaction with each other and with other components of the national security and defence sector of Ukraine. In this regard, we consider it appropriate to consider the principles that have been applied in NATO member states for almost 75 years and the ways of financing NATO's defence costs regarding the possibility of not only analysing the further support of our country in the process of military operations, but also with the aim of determining the main steps for compliance of the financing system of the defence sector of Ukraine with international standards and principles.

Research results

The functions of the defence sector are a critically important part of the national security of Ukraine, which ensures the sovereignty and territorial integrity of the country. The legislation of Ukraine regarding the protection of the territory consists of a number of laws and regulations, in particular: the Constitution of Ukraine, Law of Ukraine "On National Security" and Law of Ukraine "On Defence of Ukraine" among others.[1] The key indicators of the effectiveness of the protection of the territory of Ukraine include: operational readiness of the armed forces to respond to threats and crises, response time, namely the ability to rapidly deploy and respond to security challenges, effective use of allocated resources for territory protection and transparency and accountability of funds and resources management to prevent corruption.

Funding of the defence sector in Ukraine during the period of military operations on the territory of Ukraine is of global importance and is carried out at the expense of the state budget of Ukraine.[2] The main source of financing is the appropriation from the state budget. Also, the national defence industrial complex contributes to the development and procurement of equipment for the defence sector. In addition, Ukraine receives financial and material assistance from international partners, including NATO member states and international organizations.

The military capabilities of the North Atlantic Treaty Organization (NATO) have long been at the core of its mission to ensure the security and defence of its member states. NATO, created after the Second World War, has constantly evolved to meet current security challenges by strengthening its military capabilities. Legislation plays a critical role in creating the framework for financing defence spending in NATO countries. The North Atlantic Treaty, the founding document of NATO, defines the obligations of member states to maintain and develop their individual and collective potential for self-defence.

As a member of NATO, the United States plays a central role in ensuring the collective defence and security of the alliance's member states. Their historic commitment to the alliance, military capability and leadership are an integral

[1] Constitution of Ukraine Act of 1996, https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80#Text, (accessed 09.10.2020); Zakon Ukrainy: „Pro nacionalnu bezpeku" 2018, https://zakon.rada.gov.ua/laws/show/2469-19#Text, (accessed 12.09.2023); Zakon Ukrainy: „Pro oboronu Ukrainy" 1991.

[2] Budzhetnyi Kodeks Ukrainy 2010, art. 572.

part of NATO's mission to maintain peace and stability in the Euro-Atlantic region. Although challenges remain, including the evolving security landscape, resource allocation, political differences and public support, the outlook is optimistic. Adaptation, modernization, policy dialogue and public engagement provide a way forward for the alliance, ensuring the continued effectiveness of US membership in NATO. In addition, since its inception, NATO has relied on the steadfast commitment and contribution of Great Britain. Germany's membership in the North Atlantic Treaty Organization (NATO) has been a fundamental pillar of transatlantic security since the end of World War II. As the largest economy in Europe, Germany plays a key role in ensuring the collective defence and security of NATO member states, especially on the European continent. As a major European military power and a country with global influence, France's membership of the North Atlantic Treaty Organization (NATO) also plays a central role in ensuring collective defence and security for NATO member states.

Each NATO member state has its legislative process for allocating defence budgets, often governed by national laws and regulations. NATO member states also agree to make financial contributions to the organization's jointly financed budgets, which support the various activities of the alliance. Thus, defence spending must be clearly aligned with the security environment. Second, defence spending is closely related to the burden-sharing debate. The United States often rightly criticizes European Allies and Canada for not bearing their fair share of the collective defence burden. The deep deterioration of the security environment after the illegal annexation of Ukrainian Crimea by the Russian Federation in 2014 renewed the debate on the distribution of the burden among the members of the alliance. The issue has become even more acute since Russia's full-scale invasion of Ukraine in February 2022, which demonstrated that the risk of a major conflict involving a potential nuclear-armed adversary is not as remote as many had hoped.

NATO's defence spending covers several areas, in particular funds are allocated to increase the readiness and capacity of NATO forces for collective defence, investments are made in infrastructure projects that support military mobility and alliance readiness, NATO conducts training and training to improve interoperability between member states, NATO is solving the problems of cyber security and investing in means of cyber defence.

The 2014 Defence Investment Pledge (DIP), adopted by the Allies at the 2014 Wales Summit, NATO's first summit since the illegal annexation of Crimea, set an important baseline by setting a spending target of at least 2% of GDP on

defence by all members of the alliance as a political commitment agreed upon at the level of heads of state and government. As a result of the DIP, European Allies and Canada have invested an additional $350 billion since 2014, marking eight consecutive years of increased defence spending.

However, it is important to look not only at the numbers (for example, the number of NATO member states at 2% or the amount of money added), but also at the priorities and defence capabilities that are delivered when the Allies gradually increase defence spending (which is not an end in itself, especially in times of competing budget priorities). Ahead of the alliance's 75th anniversary, which will be celebrated in Washington, DC in 2024, it is also worth re-examining the relevance of the current 2% target and trying to define a timeline for sustained and long-term efforts.

The presence of major problems in defence spending in NATO countries should be determined. Economic Constraints: Economic downturns can limit countries' ability to meet defence spending commitments. Different threat perceptions: Different threat perceptions among member states can lead to differences in defence priorities. Political Obstacles: Domestic political considerations may impede efforts to increase defence budgets. Allocation of resources: ensuring efficient allocation of budgetary resources is a constant challenge.

Over the years NATO defence spending has fluctuated under the influence of geopolitical events and national priorities. After the end of the Cold War several NATO members reduced their defence spending as the perceived threat diminished. But, in recent years, growing concern about Russia's aggressive posture and the rise of new security challenges has led to a revival in defence spending.

During the Cold War defence spending by NATO Allies (excluding the United States) typically averaged more than 3% of GDP, with some significant fluctuations over time, but rarely fell below 2%. In the post-Cold War era, there was a first significant decline in the early 1990s and a further decline of 20% approximately 20 years later (including the reduction of the NATO command structure) following the 2008 global financial crisis. This led to a significant decrease in both the size and readiness of the armed forces of most of the alliance countries. Moreover, new NATO members tended to reduce defence spending upon joining the alliance, reinforcing the perception that some Allies were free-riding at the expense of others.

In recent decades, these reductions in defence spending by NATO members have stood in stark contrast to trends elsewhere in the world. Since 2000, Russian defence spending has increased by 227%, while China's has increased by

566%. Defence spending remained fairly flat over the same period (increasing only 22%, including recent increases) in NATO countries in Europe and Canada, with the lowest in 2014. These average figures obviously do not reflect the diversity of situations from one ally to another, but the overall trend is telling, and it has managed to change, rather slowly, only since 2015.

Some NATO member countries make a significant contribution to the budget of the alliance. These countries include the United States, Germany, Great Britain and France. While many NATO member states are active contributors, some pay relatively less to the alliance's budget, including Luxembourg, Iceland and Slovenia.

After Russia's illegal annexation of Crimea, NATO members approved a defence investment commitment (paragraph 14), which to this day remains the political basis of their commitment to increase defence spending.[3] It has been carefully formulated with the goal of achieving results within a decade (by 2024), making the promise demanding but realistic. Not only did it set a target of 2% of GDP for defence spending, but it also set an additional target for Allies to "spend more than 20% of their defence budgets on capital equipment, including related research and development," which is no less important because it encourages Allies to invest in new defence capabilities. Even with this additional nuance, it quickly became clear that the 2% figure is the financial and political benchmark against which the Allies' efforts will primarily be judged, particularly in the context of renewed transatlantic burden-sharing disputes under the Trump presidency .

As demonstrated in the annual report of the NATO Secretary General for 2022[4], efforts to achieve these goals were significant. Since 2015, officially the number of countries that reached the target of 2% increased from 3 to 7, and the number of countries that exceeded the target of 20% of investments increased from 7 to 26 of the 30 members of the alliance (Finland became the 31st NATO member country in 2023, and therefore is not included in these numbers).[5] Most Allies now have clear plans to comply with the guidance in the coming years, and in total this represents an additional $350 billion[6] in spending by non-US Allies

[3] NATO, *Annual Report of the Secretary General for 2022*, https://www.nato.int/cps/uk/natohq/opinions_212795.htm?selectedLocale=uk, (accessed 6.05.2023).

[4] Ibidem.

[5] NATO, *NATO Annual Tracking Research 2022*, https://www.nato.int/SGReport/2022/audience-insight-en.pdf, (accessed 6.05.2023).

[6] Ibidem.

(compared to planned spending if budgets had remained unchanged since 2015 year).

Although the vast majority of Allies have increased defence spending as a share of GDP, there is still some variation between them. Alliance members tend to fall into one of three groups, each representing about a third of the alliance: those who have already met or are close to meeting the 2% target; those who are quickly moving towards this goal and expect to achieve it in the near future; and those who plan to reach the 2% target but are still lagging behind (currently below 1.5%)[7] and are unlikely to reach the target anytime soon.

While eight consecutive years of defence spending increases do make a difference, the additional money has not yet allowed all Allies to overcome the effects of previous cuts and years of shrinking defence budgets. Years of constant effort are needed to restore the strength that in many cases has completely vanished. From this point of view, the significant increase that is taking place today allows the members of the alliance to achieve three related and equally important goals.

First, the least visible but still critical effort is to restore forces to appropriate levels of readiness and military effectiveness. In short, it is about training and procurement of ammunition and spare parts to ensure the combat capability of NATO allied forces at short notice, under all circumstances and in sufficient quantities. The war in Ukraine publicly revealed that many Allies had difficulty finding available ammunition stocks to donate to Ukraine, or to re-equip their own forces, and could deploy only limited combat-ready forces at short notice. This line of effort is critical to the complex scenarios related to the defence of the Euro-Atlantic region and will require a sustained effort over time to ensure that Allies meet the relevant standards.

Second, Allies are addressing capability gaps in areas that were neglected during more than 20 years of crisis management and counterinsurgency focus (such as the Middle East war and ongoing conflicts in Africa) that focused on a different set of priorities and tools. NATO's defence planning process has enabled Allies to identify these key capability gaps and thus begin to restore high-end capabilities in the land, sea and air domains through the acquisition of modern platforms and mechanisms. Alliance members are also focused on rebuilding industrial potential in the alliance. Objectives and priorities may vary from member to member depending on size and location, but the priority for NATO as a whole is to rebuild military and industrial capabilities to meet the challenges of

[7] Ibidem.

high-intensity war scenarios after years of stockpiling. Special areas include land warfare (artillery and support), integrated air and missile defence and submarine operations.

Third, increased defence spending allows alliance members to better prepare for the future. NATO's technological advantage has always been a key advantage for the alliance. Defence investments support research, develops the next generation of equipment and mechanisms and ensures NATO's competitiveness in new areas of operations such as space or cyberspace. This focus on innovation is key to NATO's future success in an environment where western technological superiority can no longer be taken for granted. This will require much closer cooperation with various actors in the private sector, academia and regulatory bodies, including the European Union.

Each of these priorities alone justifies a renewed effort in defence spending. Together, these three clearly show how important sustained efforts are, especially in the degraded security environment we live in today.

As NATO approaches its 75th anniversary in 2024, the terms of the debate are changing rapidly. A growing number of alliance members are announcing plans to significantly exceed the 2% target and make major investments in new equipment and capabilities. Some suggest upward revisions to targets, while others remain concerned about the implications of a tight fiscal environment and their ability to effectively use budgets that are expanding too quickly. In this context, it is important to recognize that 2% should be a floor, not a ceiling. It is equally important to make the case for continued efforts over the next decade and beyond, or at least until the security environment becomes more reassuring.

Unfortunately, the security environment in Europe and beyond will remain volatile for the foreseeable future. Despite the hoped-for favourable outcome of the war in Ukraine, Russia is likely to remain hostile and/or unstable, and its core military capabilities will remain largely undiminished outside of land forces. On the southern flank of Europe, an arc of instability stretches from West Africa to Afghanistan, with several half-collapsed states and possible further destabilization caused, in particular, by the actions of Russia. Strategic competition with China, including through an increased Chinese presence in the Euro-Atlantic region, creates further risks for potentially serious consequences.

Fortunately, despite the instability in the global security environment, the increase in defence spending is largely in line with the fiscal capacity of NATO members, who are among the most economically developed countries on the planet. NATO members have no intention of starting a new form of arms

race, and spending of 2% remains well below Cold War averages. In the current security environment public opinion supports defence spending, particularly in Northern and Eastern Europe, and that support is growing. According to a NATO public opinion survey, the majority of alliance citizens (74% in 2022 vs. 70% in 2021)[8] believe that defence spending should either be kept at current levels or increased (there are some significant differences between alliance members, from 85% to 52% support, but always with majority support). Only 12% believe that it is necessary to spend less on defence. However, given the political sensitivity of defence spending among many domestic audiences, a strong and sustained effort requires a strong democratic consensus and thus a strong argument. To make these efforts acceptable, it is important to consistently explain the security rationale behind these efforts, as well as to highlight their fiscal sustainability and economic benefits to domestic industry and technology, and thus to local economies and communities.

As the alliance approaches 2024, the tenth anniversary of the defence investment commitment, all eyes will be on this initial deadline for achieving the 2% target. Thus, the 2024 Washington Summit will be an opportunity for NATO leaders to review achievements and agree on future commitments. They may include:

- A renewed commitment to achieve the 2% and 20% targets without delay or reservation, with these figures defined as minimums, not maximums, as many Allies are now well above these thresholds.
- A pledge to maintain this level of effort as long as necessary, which is critical to rebuilding our military.
- A focus on addressing capability gaps identified in NATO's defence planning process, including through joint funding where necessary or more effectively.
- Reflection on how best to align NATO's guiding principles with the EU's increasingly important activities, including through investment in capabilities and technology, to ensure that both efforts are mutually supportive.

Strengthening the military potential is the main goal in NATO's mission to ensure the security and defence of its member states. As the alliance developed, military potential adapted to modern security challenges. These capabilities serve as a deterrent to potential aggressors, a means of protection in times of conflict and a tool for crisis management and peacekeeping. While

[8] Ibidem.

challenges such as resource allocation, interoperability, technological progress, strategic differences and public support remain, NATO is actively addressing these challenges. Continued efforts to meet defence spending commitments, promote interoperability, share technology, align strategic priorities and engage the public signal a positive future for NATO's military capabilities. As NATO continues to navigate complex security landscapes and evolving threats, strengthening military capabilities will remain central to its mission, increasing the strength of a united alliance committed to security and stability in the Euro-Atlantic region. Defence investment and budget discussions cannot and should not be divorced from the broader strategic debate among Allies as they discuss the future of the transatlantic relationship 75 years after NATO's formation. This requires Allies to be fully aware of how much the security environment has changed and how much the alliance itself has changed to meet the challenge, not just in 75 years, but especially in the last ten. Only thanks to this recognition will the members of the alliance be able to draw honest and clear conclusions for the new era of NATO's history.[9]

Conclusions

The commitment to collective defence is a cornerstone of NATO's mission to ensure the security and sovereignty of member states. Rooted in historical context, enshrined in a sound legal framework and imbued with contemporary significance, collective defence remains vital to maintaining stability and peace in the Euro-Atlantic region. Although challenges remain, including the evolving security landscape, resource allocation, political differences and public support, NATO is actively addressing these challenges. It is this experience and the high probability of Ukraine's accession to NATO that necessitates the earliest implementation of these principles in the functioning of the defence sector in particular and the national security of Ukraine in general.[10]

[9] NATO, *Relations with Ukraine*, https://www.nato.int/cps/uk/natohq/topics_37750.htm, (accessed 6.05.2023).

[10] Memorandum about the Agreement between the Government of Ukraine and the NATO Organization with Communication and Information Concerning Cooperation on Issues Consultations, Management, Communication, Intelligence, Surveillance and Reconnaissance within the Framework of the NATO program "Partnership for Peace": Law of Ukraine dated 11.16.2023, no. 2741-IX, https://zakon.rada.gov.ua/laws/show/2741-IX#Text, (accessed 11.08.2024).

Adaptation, modernization, political dialogue and public engagement provide a way forward for the alliance, ensuring continued effectiveness in its commitment to collective defence.

In 2023 the activity of a new body began, the Ukraine-NATO Council, which has already become the evolutionary successor of the previous Ukraine--NATO Commission. The change of the previous format from the existing Commission to the new Council may indicate an active strengthening of all political ties between Ukraine and NATO member countries. This also confirms the higher degree of integration of modern Ukraine into the alliance. In the new format of the Council, Ukraine sits alongside all its member states on the basis of objective equality. The meeting of the new Council can be convened not only by the Secretary General of NATO, but also by all individual participating countries, as well as by Ukraine, including if a resolution and crisis consultations are necessary. On 12 July 2023, the constituent meeting of the new Ukraine-NATO Council took place within the framework of the previous Vilnius summit.

The defence and security sector of Ukraine is critically important for ensuring the country's sovereignty and territorial integrity. Ukraine can use the experience of NATO countries to strengthen its capabilities in the defence sector. By addressing issues such as corruption, resource allocation and technology gaps Ukraine can strengthen its national security function, ensuring the protection and stability of its territory and contributing to regional and global security efforts in the world.

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Summary

In the course of hostilities on Ukrainian territory, military structures faced challenges, particularly on security issues that required a quick response. There is also a clear demand in society for decisive change after Ukraine's victory. The priority is to guarantee human rights and freedoms and to develop a new democratic state where the rule of law should prevail. It is necessary to accelerate digitization in Ukraine's defence sector, which is important for the system of security agencies, which must improve their capacity to perform qualitatively the functions defined by Ukraine's legislation.

The changes expected in the country should be as comprehensive as possible and address almost all aspects of their functioning: from training and qualitative selection of highly professional future personnel for military service to ensuring the transparent and effective functioning of the national system, taking into account NATO and other international standards, especially those concerning transparency and accountability. Corruption and other existing threats detrimental to the country should continue to be eliminated, using NATO's experience in strengthening mechanisms for democratic citizen control over transparent administrative decision-making. The main goal is not only to reform national security, streamline their operations, build an effective management culture, reform the management structure along the lines of NATO and legislative regulations taking into account the European integration of Ukraine, but also the overall system of public administration efficiency, making transparent administrative decisions.

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DIGITAL TRANSFORMATION OF THE MILITARY SPHERE OF UKRAINE. PROBLEMS AND PROSPECTS

CYFROWA TRANSFORMACJA SFERY WOJSKOWEJ UKRAINY. PROBLEMY I PERSPEKTYWY

Abstract: The article is focused on the examination of the current problems and prospects of Digital transformation of the military sphere of Ukraine under the conditions of the Russian full-scale invasion. The author thinks that one of the key indicators of the level of digital transformation in Ukraine, in particular concerning the military sphere, is the index of digital transformation of the regions of Ukraine. The author notes that digital transformation of the military sphere of Ukraine will help to facilitate the maintenance of medical records and the faster passing of the medical commission, which is especially relevant during the war. Additionally, the author assumes that strengthening the capabilities of the national cyber security system to counter cyber threats regarding the aggression of the Russian Federation against Ukraine, it is aimed primarily at information and communication systems of state bodies of Ukraine, as well as at objects of critical information infrastructure.

Zarys treści: Autor koncentruje się w artykule na badaniu aktualnych problemów i perspektyw cyfrowej transformacji sfery wojskowej Ukrainy w warunkach rosyjskiej inwazji na pełną skalę. Uważa on, że jednym z kluczowych wskaźników poziomu transformacji cyfrowej na Ukrainie, w szczególności w odniesieniu do sfery wojskowej, jest

wskaźnik transformacji cyfrowej regionów Ukrainy. Zauważa, że transformacja cyfrowa sfery wojskowej Ukrainy ułatwi prowadzenie dokumentacji medycznej i szybsze przekazywanie jej komisji lekarskiej, co jest szczególnie istotne w czasie wojny. Ponadto autor zakłada, że wzmocnienie zdolności krajowego systemu cyberbezpieczeństwa do przeciwdziałania cyberzagrożeniom związanym z agresją Federacji Rosyjskiej na Ukrainę odbywa się przede wszystkim w obszarze systemów informacyjnych i komunikacyjnych organów państwowych Ukrainy. Obejmuje ono także obiekty krytycznej infrastruktury informacyjnej.

Key words: military sphere, full-scale invasion, digital transformation, information infrastructure.

Słowa kluczowe: sfera wojskowa, inwazja na pełną skalę, transformacja cyfrowa, infrastruktura informacyjna.

Introduction

Russia's full-scale invasion of Ukraine proved the significant role of the digital transformation of the military sphere to ensure the stability and flexibility of the Ukrainian state under wartime conditions. The priority in the domestic policy of digital transformations of the military sphere is bringing the structure of the digital sector of Ukraine closer to the requirements of the new reality in the conditions of the war and the post-war period.

Further, Ukraine's progress in military operations is possible only due to the maximum automation and increasing the speed of management processes both in the combat environment and in matters of the daily activities of the troops and in the organization of strategic decision-making in the entire defence system of the state. This, of course, includes automating decisions on passing of a medical commission, as well as ensuring the cybersecurity of state registries

Accordingly, the main task of the Ministry of Digital Transformation of Ukraine is to create organizational and technical conditions for the formation and use of a unified information environment in the field of defence through the application of unified standards, protocols, the provision of necessary services and the full use of information resources aimed at the effective use of defence forces with the necessary financial support.

The mechanism of the impact of digital policy on the military sphere

The concept of the military sphere is rather philosophical in nature and does not yet have a strictly scientific understanding. According to the dominant point of view, the military sphere is the area of military affairs. In a broad sense, it covers all issues of military theory and practice related to the formation, training of armed forces and their use in peacetime and war, as well as the preparation of the country and population for a military conflict (war or armed conflict). It includes the activities of Government to resolve issues of defence of the country and the armed forces.

Taking into account this circumstance, it is advisable to classify military-political processes according to the levels of their occurrence. In particular, the international level of functioning of military-political processes, covering two main sublevels – global and regional – as well as the national-state level, characterizing intra-society military-political processes and processes related to the military-political sphere of activity of military personnel and the army as a whole are of great interest.[1]

A more substantive description of military-political processes will be further carried out from the point of view of their interaction with the digital policy and especially from the standpoint of the influence of information on them. Therefore, we are forced to limit ourselves to the most general consideration of them, sufficient to understand the operation of the mechanism of information influence on these processes.

So, it is necessary to analyse the process of influence of digital policy on the military sphere in the form of a mechanism. The problem of studying the mechanism of any socio-political processes as a phenomenon is not new and occupies a very definite place in modern science.[2]

The concept of a mechanism is often used as a metaphor, appealing to something well-known and understandable, for example, to mechanical analogues, including the simplest ones. In any case, a mechanism is a model of the object being studied, so the use of this term is not mandatory but is often useful. Thus, some authors believe that the study of this mechanism makes it possible to more deeply and systematically explain the driving forces, patterns, stages, achieved and probable results of the transformation of Ukrainian society.

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[1] P. A. Kirschner, J. Sweller, R. E. Clark, *Why Minimally Guided Teaching Techniques Do Not Work: A Reply to Commentaries*, "Educational Psychologist" 2007, vol. 42, iss. 2, pp. 115–121.

[2] A. Martin, *Digital Literacy and the "Digital Society"*, "Digital Literacies Concepts Policies Practices" 2008, vol. 30, pp. 151–176.

To study the mechanism it is advisable to build a functional model and for this we consider the analysed process as a system. We agree with the statement that the system is characterized by the fact that it allows one to distinguish between what belongs to it and what does not, and to describe its interactions with the environment. That is, the inputs and outputs of the system are determined and it indicates how certain influences on the inputs will affect the system as a whole. The collection of information about the system ends with modelling, the process of organizing knowledge about this system. Consequently, in the modelling process we build and study a model not of an object, but of a system. But the model itself, having a certain integrity, can also be considered as a system. The model is not required to be true; it must be adequate and operational, that is, give satisfactory answers to the questions posed.

From the above reasoning, we can conclude the following: analysis of the mechanism involves, firstly, considering any process or phenomenon as a system, while insignificant connections, facts or processes are not considered. Secondly, the mechanism involves analysing processes not statically, but dynamically, that is, in a strictly defined sequence. Based on these conditions, we will build a workable model and analyse the mechanism of the impact of digital policy on the military sphere of Ukrainian society.

Let us begin our consideration of this mechanism with its subjects. To do this, it is necessary to answer the question: are all subjects of digital policy the subjects of the mechanism of influence on the military sphere? That is, can they all influence it?

In the most general terms, related to subjects of digital policy, various social groups (nations, nationalities, gender, age, professional and other groups) cannot directly exert such influence. But the political and a number of public institutions they create (the state, political parties, public organizations, movements and associations, the media, information and analytical centres and networks, including the Internet, etc.), as well as socio-political groups of people, those specializing primarily in the management of society (political elites, personnel management groups – managers, companies specializing in advertising and election technologies, etc.) can affect the military sphere.[3]

The state is the main subject in the mechanism we described. That is, it plans, organizes and conducts military policy. At the same time, the specifics of

[3] K. Trantopoulos et al., *External Knowledge and Information Technology: Implications for Process Innovation Performance*, "MIS Quarterly" 2017, vol. 41, no. 1, pp. 287–300.

digital policy allow us to assert that both political elites and the structures they create for conducting information and analytical activities through Government can and actively influence most processes and phenomena in the military-political sphere. Moreover, it is necessary to note the main contradiction, which is that reducing the subjectivity of this mechanism only to the state will simplify the mechanism to one component, which, according to Parkinson's law, leads any system to self-destruction. Therefore, it turns out that the state, as the main subject of military policy, must format itself, which is generally possible, but is unlikely to be effective.[4]

Thus, in our opinion, the state and Government should be interested in the emergence and use of the potential of other political and social actors.

The most consciously, purposefully and actively participating in the digital policy at present, in addition to internal political subjects, are also other states, international governmental and non-governmental organizations, coalitions of states and the bodies they create, mass telecommunication networks and mass media, international political, economic and financial elite groups, etc. which are able to use the results of the digital policy in the military sphere in their interests and the interests of a particular society (its individual groups), and conduct the development of society in the direction they need.

The processes currently taking place in the international arena are very ambiguous and contradictory; new entities are emerging that are very strong politically and economically that stimulates the process of creating and strengthening the transnational companies and corporations. It is difficult to give an accurate assessment of the political capabilities of leading transnational companies and corporations, but it seems that, unlike most economically developed states, international economic actors are more committed to economic and strictly political (but not military) methods of influencing socio-economic and political processes on the planet. Yet it must be recognized that their capabilities are enormous and also, apparently, within the framework of the globalization process, there is a great desire to look for new, less destructive ways to develop world markets for goods, services and capital. In this sense, the digital policy provides subjects of international law with rich new opportunities, including influencing the military-political sphere of a particular society and state.

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[4] D. R. Garrison, *Online Community of Inquiry Review: Social, Cognitive and Teaching Presence Issues*, "Journal of Asynchronous Learning Networks" 2007, vol. 11, pp. 61–68.

The next important element of the mechanism of influence of digital policy on the military sphere is the interests of its subjects. Here it should be noted that the interests of various subjects differ greatly from each other.[5]

In our opinion, these interests lie in understanding the need for the speedy formation of an information environment in the military sphere, information consciousness in government structures, among the military-political leadership, military personnel and representatives of organizations involved in the development and implementation of military-political decisions, information and information-analytical units in military forces, etc. so that a particular society and its military-political institutions do not remain aloof from the main vector of development of civilization, aimed at the formation of an information society.[6]

The point is that the sooner the military-political leadership of the state and the armed forces understand the need for targeted digitalization of the entire military sphere and the military-political processes taking place in it, the greater efforts they will make for this and the sooner this process will proceed. Apparently, the political interest lies in increasing efforts to digitalize the military sphere, which will allow authorities to effectively use all types of resources, including information and military ones in their own and public interests, ensure the security of individuals, society, the state and stabilize political regimes.

The index of digital transformation of the regions of Ukraine

One of the key indicators of the level of digital transformation in Ukraine, in particular concerning the military sphere, is the index of digital transformation of the regions of Ukraine. The index of digital transformation of the regions of Ukraine was developed by the regional digitization team of the Ministry of Digital Transformation of Ukraine.[7] The index is one of the tools for measuring the

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[5] G. Westerman, D. Bonnet, *Revamping Your Business Through Digital Transformation*, "MIT Sloan Management Review" 2015, vol. 56, iss. 3, pp. 2–5.

[6] P. Parviainen et al., *Tackling the Digitalization Challenge: How to Benefit from Digitalization in Practice*, "International Journal of Information Systems and Project Management" 2017, vol. 5, no. 1, pp. 63–77.

[7] Ukrinform, *Stan ta perspektivi cifrovoi transformacii osnasenna zbrojnih sil Ukraini visokotehnologicnimi zrazkami ozbroenna ta vijskovoi tehniki*, https://www.ukrinform.ua/rubric-presshall/3327366-stan-ta-perspektivi-cifrovoi-transformacii-osnasenna-zbrojnih-sil-ukraini-visokotehnologicnimi-zrazkami-ozbroenna-ta-vijskovoi-tehniki.html, (accessed 19.01.2022).

processes of digitization in 24 regions of the country. Such an analysis allows to determine the efficiency of authorities in the direction of digitalization, as well as to see the needs for digital transformation, in particular in the military sphere.

The purpose of the Index was to create a base for researching the level of digital transformation in regional authorities. The results allow authorities, analysts, developers and other interested parties to optimize digitization processes in the regions.

The index contains the following 8 main blocks: institutional capacity; Internet development; development of Administrative Services Centres; "paperless" mode; digital education; business card of the region; penetration of basic electronic services; industrial digital transformation.

The results of the 2022 study (Table 1) show that the Index within Ukraine is 0.65 points out of a possible 1 point. In particular, the Dnipro, Ternopil and Odesa regions have the highest values (0.916, 0.910 and 0.836 points respectively). Among the blocks of the index of digital transformation of the regions of Ukraine, the highest values are observed in "Development of Administrative Services Centres," "Paperless mode" and "Development of the Internet" (0.771, 0.691 and 0.683 respectively).

Table 1. The index of digital transformation of the regions of Ukraine in 2022

Region	The value of the Digital Transformation Index of the regions of Ukraine
Dnipropetrovska	0.916
Ternopilska	0.910
Odeska	0.836
Poltavska	0.814
Lvivska	0.799
Rivnenska	0.794
Vinnytska	0.769
Zakarpatska	0.756
Volynska	0.720
Cherkaska	0.716
Zhytomyrska	0.692
Ivano-Frankivska	0.683
Khmelnytska	0.610

Region	The value of the Digital Transformation Index of the regions of Ukraine
Kyivska	0.588
Kharkivska	0.571
Chernivetska	0.540
Sumska	0.534
Chernihivska	0.522
Khersonska	0.500
Donetska	0.469
Kirovohradska	0.431
Mykolaivska	0.431
Luhanska	0.404
Zaporizka	0.370

Source: Ukrinform, *Stan ta perspektivi cifrovoi transformacii osnasenna zbrojnih sil Ukraini visokotehnologicnimi zrazkami ozbroenna ta vijskovoi tehniki*, https://www.ukrinform.ua/rubric-presshall/3327366-stan-ta-perspektivi-cifrovoi-transformacii-osnasenna-zbrojnih-sil-ukraini-visokotehnologicnimi-zrazkami-ozbroenna-ta-vijskovoi-tehniki.html, (accessed 19.01.2022).

One of the important components of the Index of digital transformation of regions of Ukraine is institutional capacity, which is the first stage in the digital development of the region and is implemented by digital leaders in the community.

The development of digital technologies increases the demand for IT specialists in government agencies. The actual number of employees in structural subdivisions for the digitalization in the Regional State Administration is 70.7% of the planned number. In the Chernivtsi, Kirovohrad and Chernihiv regions there is a demand for increasing teams in the direction of digital transformation.

Also, a "paperless" regime is being introduced in Ukraine with the aim of increasing the efficiency of authorities, reducing costs and optimizing services for the population. The "paperless" regime involves the use of digital infrastructure, such as cloud services, information systems and platforms. The research included measurement of electronic document flow processes, digitization of registers in regional authorities, and implementation of electronic services in various types of institutions. The value of this component of the Index of digital transformation of regions of Ukraine is 0.691 out of a possible 1. In the list of regions, the highest values are in the Poltava, Odesa and Dnipro regions (0.967, 0.958 and 0.952 respectively), and the lowest values are in the Zaporizhia, Ivano-Frankivsk and Chernivtsi regions (0.063, 0.162 and 0.390 respectively).

The key problems of digitalization in the military sphere of Ukraine

On 19 May 2023, the State Secretary of the Ministry of Internal Affairs of Ukraine held a meeting regarding the activities of the military medical commissions of health care institutions that belong to the sphere of administration of the Ministry of Internal Affairs of Ukraine and the State Emergency Service of Ukraine.

At the meeting, a number of issues were discussed regarding the optimization of the operation of medical centres of health care institutions, which belong to the sphere of management of the Ministry of Internal Affairs of Ukraine, routes of medical examinations and accessibility for people with reduced mobility. It was noted that digitalization is the number one task for military medical commissions. Currently, the issue of digitalization of military medical commissions remains a priority for the Government and the Ministry of Internal Affairs of Ukraine. This will help to facilitate the maintenance of medical records and the faster passing of the medical commission, which is especially relevant during the war. Accordingly, a single electronic database will be introduced precisely to solve this problem.[8]

In turn, it was noted that the department understands all the problems of military medical commissions, in particular concerning certificates.

In addition, the electronic database will allow storing and processing of medical information about candidates, which facilitates the maintenance of medical records and more accurate and convenient processing of this information.

The launch of the electronic queue for passing military medical commissions was also announced. Therefore, automation will allow the regulationof queuesfor each doctor's office.

The prospects of digital transformation of the military sphere of Ukraine

Among the prospects of the digital transformation of the Ukrainian economy which can have a significant impact on the military sphere, it is necessary to highlight the following:

[8] National Institute for Strategic Studies, *Ohlyad tsyfrovoyi transformatsiyi ekonomiky Ukrayiny v umovakh viyny (zhovten' 2022)*, https://niss.gov.ua/en/node/4725, (accessed 19.01.2022).

1. Opening of funding for the restoration of Ukraine's digital infrastructure by the EU. According to the CEF European funding programme "Connecting the backbone for digital global gateways," dated 12 October 2022, domestic mobile operators and Internet providers have the opportunity to participate in the competition and in the deployment of strategic networks, contributing to the improvement of the quality of communication with EU countries, in particular through underwater cable systems, satellite infrastructure and connection to Internet exchange points. Through the platform UNITED24 funds are already coming in for modernization and construction of digital infrastructure, strengthening of cyber protection, as well as further development of new digital technologies. In particular, within the framework of the memorandum signed between the Ministry of Digital Transformation of Ukraine and the telecommunications company "Kyivstar," the telecom operator transferred UAH 150 million for digitalization. The priority funds in the amount of UAH 84.9 million, which will contribute to strengthening the security and reliability of digital infrastructure during a full-scale war, will be directed to:

- modernization and development of the basic state registers of the Ministry of Justice of Ukraine to provide the population with new digital services in the social and construction spheres (the State Register of Property Rights and the State Register of Civil Status Acts);
- implementation of projects on the digital transformation of the notary (e-notary) and waybills (e-TTN);
- modernization and development of transport registers of the Ministry of Internal Affairs of Ukraine in order to provide digital services for registration and re-registration of cars in "Diya," issuing digital driving licenses, etc.

2. Opening the opportunity for Ukrainian business entities to participate in competitions of the European Union Programme"Digital Europe" until 2027, for the development of digital infrastructure with a total programme fund of €7.6 billion. About €6 billion are provided for the financing of projects in the directions available to Ukraine. Fund raising will also be facilitated by the adopted draft law "On the National Informatization Programme," which will ensure the proper level of implementation of informatization, digitization and e-government projects and is aimed at solving a number of the following tasks:

- Ukraine's integration into the global information space;
- information security and cyber protection;

- application of information and digital technologies in public administration and socio-economic relations.[9]

3. Supporting the economy of Ukraine by purchasing military bonds in the "Diya" application with up to 16% guaranteed profit. As of 25 October 2022, Ukrainians purchased 70,000 military bonds worth almost UAH 70 million, which are working for the victory of Ukraine.

4. Strengthening the capabilities of the national cyber security system to counter cyber threats regarding the aggression of the Russian Federation against Ukraine, aimed primarily at information and communication systems of state bodies of Ukraine, as well as at objects of critical information infrastructure.[10]

In October 2022, Ukraine, as part of the UA30 cyber reform, joined the US and EU cyber security month with the aim of drawing public attention to cyber security and creating a full-fledged cyber protection ecosystem. The Ministry of Digital Transformation of Ukraine, together with the FAVBET Tech company, is deploying an IT army and organizing its own cyber troops, who are already dealing a devastating blow to the enemy's IT infrastructure 24/7. After the changes to the Tax Code come into force, FAVBET Tech plans to integrate new payment instruments and implement settlements with the seven most popular virtual coins. For the purpose of cyber protection of state information resources and objects of critical information infrastructure, a corresponding draft law was submitted for consideration by the Verkhovna Rada of Ukraine.

Conclusions

In general, the implementation of the planned measures will contribute to the digital transformation of the economy and, accordingly, the military sphere of Ukraine in order to ensure the stability and flexibility of the state and the integration of Ukraine into the international digital space on a strategic basis. The activation of relevant processes has the potential to attract funds within the framework of the European EU programme "Digital Europe" and the financing programme for connecting the Ukrainian highway to digital global gateways and increasing the digital potential of Ukrainian companies, their structural modernization and, as a result, strengthening their sustainability in the post-war period.

[9] *Mincifri pro pidsumki ta plani shodo cifrovizaciyi*, Uriadovy kurier, https://ukurier.gov.ua/uk/news/mincifri-pro-pidsumki-ta-plani-shodo-cifrovizaciyi/, (accessed 19.01.2022).

[10] Ibidem.

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Summary

One of the key indicators of the level of digital transformation in Ukraine, in particular concerning the military sphere, is the index of digital transformation of the regions

of Ukraine. The index of digital transformation of the regions of Ukraine was developed by the regional digitization team of the Ministry of Digital Transformation of Ukraine.

Digitalization is the number one task for military medical commissions. Currently, the issue of digitalization of military medical commissions remains a priority for the Government and the Ministry of Internal Affairs of Ukraine. This will help to facilitate the maintenance of medical records and the faster passing of the medical commission, which is especially relevant during the war. Accordingly, a single electronic database will be introduced precisely to solve this problem.

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CRIMINAL LIABILITY FOR DESECRATION OF A GRAVE. COMPARATIVE STUDIES

ODPOWIEDZIALNOŚĆ KARNA ZA ZBEZCZESZCZENIE ZWŁOK. STUDIA PORÓWNAWCZE

Abstract: This article conducts a comparative legal study of the characteristics of the crime defined in Article 262 of the Polish Criminal Code, aiming to identify ways to improve the corresponding Ukrainian criminal legislation. In the current Ukrainian Criminal Code, Article 297 "Desecration of a grave, other burial place, or the body of the deceased" is classified as an offence against public order and morality. Improving Ukrainian criminal legislation could involve considering Poland's experience in more clearly defining the objects of the crime and the objective side of the act. It is also worth considering expanding scientific research in this area to achieve greater consistency and effectiveness in law enforcement. On the other hand, Article 297 of the Ukrainian Criminal Code covers a much broader list of objects that are subjects of this crime, which could be beneficial for Polish legislation. Overall, the analysis showed quite close positions of both Ukrainian and Polish legal scholars, providing hope for the rapid adaptation of Ukrainian criminal legislation to the legislation of EU countries.

Zarys treści: W artykule przeprowadzono porównawcze badanie prawne cech przestępstwa określonego w artykule 262 Kodeksu karnego Polski, mające

na celu znalezienie sposobów na ulepszenie analogicznego ukraińskiego ustawodawstwa karnego. W obecnym Kodeksie karnym Ukrainy artykuł 297 „Zbezczeszczenie grobu, innego miejsca pochówku lub ciała zmarłego" jest zaklasyfikowany jako przestępstwo przeciwko porządkowi publicznemu i moralności. Ulepszanie ukraińskiego ustawodawstwa karnego może obejmować uwzględnienie doświadczeń Polski w precyzyjniejszym określaniu przedmiotów przestępstwa i obiektywnej strony czynu. Warto także rozważyć możliwość rozszerzenia badań naukowych w tej dziedzinie, aby osiągnąć większą spójność i skuteczność w egzekwowaniu prawa. Z drugiej strony artykuł 297 Kodeksu karnego Ukrainy obejmuje znacznie szerszą listę przedmiotów, które są przedmiotami tego przestępstwa, co może być użyteczne dla polskiego ustawodawstwa. Ogólnie rzecz biorąc, przeprowadzona analiza wykazała dość zbliżone stanowiska zarówno ukraińskich, jak i polskich prawników, co daje nadzieję na szybką adaptację ukraińskiego ustawodawstwa karnego do ustawodawstwa krajów UE.

Keywords: criminal law; public order; desecration of a grave, other burial place or the body of the deceased; subject of the crime; Poland; Ukraine.

Słowa kluczowe: prawo karne; porządek publiczny; zbezczeszczenie grobu, innego miejsca pochówku lub ciała zmarłego; przedmiot przestępstwa; Polska; Ukraina.

Introduction

The system of criminal offences against public order and morality was developed within the legislation of Romano-Germanic legal systems at the end of the 19th century.

Due to the absence of a comprehensive comparative legal analysis of the issue of grave desecration, it is reasonable to examine the regulation of this issue in the criminal laws of Ukraine and Poland using a comparative legal method. This can help identify ways to improve the relevant domestic criminal legislation.

Comparative Analysis of Ukrainian and Polish Legislation

In the current Criminal Code of Ukraine, Article 297 "Desecration of a grave, other burial place, or the body of the deceased" is addressed.[1] This article comprises four parts: "Desecration of a grave, other burial place, the body (remains, ashes) of the deceased, or an urn with the ashes of the deceased, as well as illegal possession of the body (remains, ashes) of the deceased, an urn with the ashes of the deceased, items located on (in) the grave or other burial place, on the body (remains, ashes) of the deceased" (part 1 of Article 297 of the Criminal Code of Ukraine); "Desecration or destruction of a mass grave or the grave of the Unknown Soldier, a monument erected in memory of those who fought against Nazism during the Second World War – Soviet liberators, participants in the partisan movement, underground fighters, victims of Nazi persecution, internationalist soldiers and peacekeepers, as well as persons who defended the independence, sovereignty and territorial integrity of Ukraine and took direct part in the anti-terrorist operation, in the implementation of measures to ensure national security and defence, repelling and deterring the armed aggression of the Russian Federation or another state recognized by the Verkhovna Rada of Ukraine as an aggressor, participants in the Revolution of Dignity, fighters for the independence of Ukraine in the 20th century" (part 2 of Article 297 of the Criminal Code of Ukraine); "Actions provided for in parts one or two of this article, committed repeatedly or by prior conspiracy by a group of persons, or for selfish or hooligan motives, or concerning a monument erected in memory of those who fought against Nazism during the Second World War, victims of Nazi persecution, as well as internationalist soldiers and peacekeepers, or combined with the use of violence or the threat of its use" (part 3 of Article 297 of the Criminal Code of Ukraine); "Actions provided for in parts one, two, or three of this article, if they caused severe consequences" (part 4 of Article 297 of the Criminal Code of Ukraine).[2] In 2001, at the time of the adoption of the new Criminal Code of Ukraine, the disposition of Article 297 of the Criminal Code of Ukraine contained only one norm, which, however, included two elements of this crime. These are "desecration of a grave, other burial place, the corpse, or an urn with the ashes of the deceased" as well as "theft of items located in the burial place or on the corpse."[3] A similar construction was present in the norm provided

[1] Criminal Code of Ukraine Act of 5 April 2001, https://zakon.rada.gov.ua/laws/show/2341-14/ed20010405, (accessed 10.06.2023).

[2] Ibidem.

[3] Ibidem.

for in Article 212 of the previous Criminal Code of the Ukrainian SSR of 1960 "Desecration of a Grave" which referred to "Desecration of a grave, as well as theft of items located in the grave or on the grave."[4]

In the current Criminal Code of Ukraine, grave desecration is classified as a criminal offence against public order and morality, which are designated in a separate Chapter XII of the Special Part of the Criminal Code of Ukraine. Additionally, the social relations arising in this area are regulated by the Law of Ukraine "On Burial and Funeral Affairs" dated 10 July 2003, and other regulatory legal acts.[5] This legislation defines the "general legal principles for conducting burial activities in Ukraine, regulates relations that arise after the death (decease) of a person regarding the burial procedure, and establishes guarantees for the proper treatment of the body (remains, ashes) of the deceased and the preservation of the burial place."[6]

In the criminal legislation of Poland, a similar crime is provided for in Article 262 of the Polish Criminal Code.[7]

Article 262 of the Polish Criminal Code contains two elements of a criminal offence: "desecration of a corpse, human ashes, or a resting place of the deceased" (§ 1 of Article 262 of the Polish Criminal Code) and "robbery of a corpse, grave, or other resting place of the deceased" (§ 2 of Article 262 of the Polish Criminal Code).[8] It should be noted that this act has traditionally been included in the criminal codes of Poland in the twentieth century (Article 168–169 of the Polish Criminal Code of 1932, Article 197 of the Polish Criminal Code of 1969, Article 262 of the Polish Criminal Code of 1997).

In the Polish Criminal Code of 1997, Article 262 is classified under the group of crimes against public order (Chapter XXXII of the Polish Criminal Code of 1997). This demonstrates that "the legislator established that the behaviour specified in these provisions violates public order as a generic object of protection."[9]

It should be noted that the concept of criminal offence for grave desecration differs from that provided in the Polish Criminal Code of 1969, where similar acts

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[4] V. Melenevs'kyy, S. Yatsenko (eds.), *Kryminal'nyy kodeks Ukrayins'koyi RSR*, Derzhavne Vydavnytstvo Politychnoyi Literatury URSR, Kyiv 1961, p. 74.

[5] Pro pokhovannya ta pokhoronnu spravu Act of 10 July 2003, https://zakon.rada.gov.ua/laws/main/1102-15, (accessed 10.06.2023).

[6] Ibidem.

[7] Criminal Code Act of 6 June 1997, https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU19970880553/U/D19970553Lj.pdf, (accessed 10.06.2023).

[8] Ibidem.

[9] R. Stefański, *Przestępstwo znieważenia zwłok, prochów ludzkich lub grobu (art. 262 k.k.)*, „Prokuratura i Prawo" 2004, no. 10, p. 20.

were established under Article 197 and were included in the chapter containing crimes against freedom of conscience and religion. At the time, in justifying the governmental draft of the Polish Criminal Code of 1997, it was stated that "desecration of a corpse or its robbery, as acts that infringe on legal interests different from freedom of conscience and religion, are punished under Article 262 of this chapter."[10] Polish scholar Z. Migros emphasizes that including the discussed provisions in the group of crimes against public order is due to the fact that sometimes human corpses are not part of religious rites. A different decision would contradict the constitutional principle of equality before the law, regardless of religious beliefs.[11]

Since the adoption of the new Ukrainian criminal law in 2001, domestic scholars have continuously sought to clearly define the immediate object of the criminal offence stipulated in Article 297 of the Criminal Code of Ukraine. Some believe it to be social relations that ensure the moral foundations of remembering the deceased. Others argue it is the set of social relations that uphold the moral principles of society in preserving the heritage of the past and maintaining the connection between generations. In this context, memory means the ability to not forget the past.

However, the question arises: can such an object of protection be considered in relation to the bodies of recently deceased individuals, whose desecration is quite common in judicial practice?

Currently, the most widespread understanding of the object of the criminal offence stipulated in Article 297 of the Criminal Code of Ukraine is social relations that ensure the observance of funeral customs and traditions, the honour of the deceased, their memory, the peace of their bodies and burial places. This understanding of the object of this criminal offence also prevails in judicial practice.[12]

Regarding the immediate object of the act specified in Article 262 of the Polish Criminal Code, the views of Polish scholars vary. Some believe it includes the protection of public order, while others argue for a focus on the respect for the deceased:

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[10] *Nowe kodeksy karne z 1997 r. z uzasadnieniami*, Wydawnictwo Prawnicze, Warszawa 1997, p. 253.

[11] Z. Migros, *Przestępstwa przeciwko uczuciom religijnym w polskim kodeksie karnym z 1932 r.*, „Wojskowy Przegląd Prawniczy" 1982, no. 37, p. 196.

[12] N. Horb, *Naruha nad mohyloyu: kryminal'no-pravovyy ta kryminolohichnyy analiz*, Zaporizhzhya 2005; M. Mel'nyk, M. Khavronyuk, *Naukovo-praktychnyy komentarz Kryminal'no ho kodeksu Ukrayiny*, Kyiv 2018; B. Odaynyk, *Kryminal'na vidpovidal'nist' za znyshchennya, ruinuvannya abo poshkodzhennya pam'atok–ob'yektiv kul'turnoyi spadshchyny*, Kyiv 2010.

- "honour and respect for the dead and their resting places" (K. Wick);[13]
- "honour, respect and peace for the deceased and their final resting places" (Z. Ćwiąkalski);[14]
- "guarantee of respect for human remains and the resting places of the deceased" (M. Bojarski);[15]
- "respect and honour for the remains of the deceased and their resting places, as well as the feelings of the deceased's relatives and possible religious sentiments" (D. Gruszecka);[16]
- "the feelings of people associated with the cult of the dead, especially those close to the deceased" (R. Góral);[17]
- "human dignity even after death, which manifests in the need to honour their remains and resting places, and in the case of Article 262 § 2, also to some extent, property rights and other rights to items belonging to persons who are, for example, heirs of the deceased or administrators of the resting place, or finally, relatives who, even by decorating the grave, do not relinquish ownership rights to the items they place there" (A. Michalska-Warias);[18]
- "respect for human corpses and their burial places, and the protection of the respect and honour of their relatives" (E. W. Pływaczewski, A. Sakowicz);[19]
- "the sanctity of the resting place, and in § 2 – the inviolability (though not ownership) of objects that belonged to the deceased, as well as the material inviolability of the resting place of the body" (J. Śliwowski).[20]

Scholar A. Rybak holds a different position, believing that "it is incorrect to consider the inviolability of resting places or the bodies themselves as the object of protection, since there are situations where moving bodies is not condemnable but even beneficial, desirable, and culturally acceptable. Cells, tissues, and organs can

[13] A. Grześkowiak, K. Wiak (eds.), *Kodeks karny*, C. H. Beck, Warszawa 2015, p. 773.

[14] Z. Ćwiąkalski, *Komentarze do art. 262*, in: W. Wróbel and A. Zoll (eds.), *Kodeks karny. Część szczególna*, Wolters Kluwer, Warszawa 2017, p. 1424.

[15] M. Bojarski, *Przestępstwa przeciwko porządkowi publicznemu*, in: L. Gardocki (ed.), *System Prawa Karnego. Przestępstwa przeciwko państwu i dobrom zbiorowym*, vol. 8, Wydawnictwo C. H. Beck, Warszawa 2013, p. 796.

[16] D. Gruszecka, *Komentarze do art. 262*, in: J. Giezek (ed.), *Kodeks karny. Część szczególna. Komentarz*, Wolters Kluwer, Warszawa 2021, p. 944.

[17] R. Góral, *Kodeks karny. Praktyczny komentarz*, Wolters Kluwer, Warszawa 2002, p. 423.

[18] W. Zalewski, *Komentarze*, in: M. Królikowski, R. Zawłocki (eds.), *Kodeks karny. Część szczególna*, Wydawnictwo C. H. Beck, Warszawa 2017, p. 425.

[19] A. Wąsk, R. Zawłocki (eds.), *Kodeks karny. Część szczególna*, Wydawnictwo C. H. Beck, Warszawa 2010, p. 517.

[20] J. Śliwowski, *Prawo karne*, PWN, Warszawa 1979, p. 426.

also be taken (within the limits and conditions prescribed by law)."[21] The author rightly points out that "the essence of this protection does not lie in human feelings associated with the body, as equal protection is afforded to the bodies and resting places of those who are forgotten after death and those remembered by their closest relatives and friends. The trade in tissues, cells, and organs is unacceptable even when the deceased leaves no one to remember them."[22] A. Rybak reaches a compromise conclusion that the protected object is human dignity, which, according to the scholar, does not cease to exist even after a person's death. Therefore, the body of the deceased and their resting place also deserve respect and honour.[23] However, researcher T. Gardocka critically assessed this position, noting that "it is difficult to accept such a decision on strictly legal grounds, since in no other legal context is the dignity of a deceased person protected directly, but only through the protection of the feelings of those close to the deceased."[24] Researcher R. A. Stefański unified this controversy by concluding that "the act specified in Article 262 does not directly violate human dignity but does so indirectly. Respect and honour for corpses, human ashes, and resting places of the deceased derive from human dignity. However, this does not mean that the object of protection is human dignity; rather, it is the cult of the dead, which stems from culture and tradition."[25]

The objective side of the act defined in Article 297 of the Criminal Code of Ukraine involves "desecration of a grave, other burial place, the body (remains, ashes) of the deceased, or an urn with the ashes of the deceased, as well as the unlawful seizure of the body (remains, ashes) of the deceased, an urn with the ashes of the deceased, or items located on (in) the grave, other burial place, or on the body (remains, ashes) of the deceased."[26]

Desecration of the body (remains, ashes) of the deceased means "committing indecent intentional actions on the body (remains, ashes) of the deceased, such as unauthorized removal of clothing from the body (remains, ashes), moving it to another place, or dismembering or destroying the body (remains, ashes), committing an act of necrophilia, using parts of the buried body for ritual or other

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[21] A. Rybak, *Prawnokarna ochrona godności zwłok człowieka*, „Palestra" 2004, vol. 49, no. 1–2, p. 100.

[22] Ibidem.

[23] Ibidem.

[24] T. Gardocka, *Czy zwłoki ludzkie są rzeczą i co z tego wynika?,* in: J. Gołaczyński et al. (eds.), *Non omnis moriar. Osobiste i majątkowe aspekty prawne śmierci człowieka. Zagadnienia wybrane*, Oficyna Prawnicza, Wrocław 2015, p. 274.

[25] R. Stefański, *Przestępstwo znieważenia zwłok*…, op. cit., p. 21–22.

[26] Criminal Code of Ukraine Act of 5 April 2001, op. cit.

purposes not provided for by current legislation, or committing other actions aimed at disrespecting familial or societal memory of the deceased, demonstrating negative attitudes towards the deceased, causing offence to the relatives and close ones of the deceased, or showing contempt for societal, religious principles and traditions in this area."[27]

Desecration includes both an objective aspect – performing certain actions regarding the deceased or the burial site, and a subjective aspect – the awareness that these actions disrespect the memory of the deceased and violate societal norms in this area. Usually, desecration is committed through active actions, but there are cases when it occurs through inaction, for example, when domestic animals are not prevented from destroying a grave or relieving themselves on it.

The unlawful seizure of relevant items means their illegal removal and appropriation. This may include, for example, the illegal removal of organs from the deceased for transplantation, seizing the body or its remains for ransom, as well as dismantling and selling grave fences, monuments, slabs, wreaths, flowers, lamps, or appropriating valuables that are part of the burial.

The actions specified in Article 297 of the Criminal Code of Ukraine are not considered criminal if carried out in an established manner, such as exhumation of a corpse, moving a grave, organizing the burial site, archaeological research, or if certain actions with the corpse are not considered desecration (for example, dismembering a corpse to conceal a murder) (V. Navrotsky).[28]

A criminal act is considered complete depending on the nature of the act. If it is desecration, the criminal offence is complete when the actions sufficiently indicate the presence of the objective and subjective elements of desecration. If the act involves appropriation, the criminal offence is complete from the moment the perpetrator gains the ability to dispose of the relevant items at their discretion (hide, sell, give away, etc.).

The objective side of the act, as defined in § 1 of Article 262 of the Polish Criminal Code, involves the desecration of a corpse, human ashes, or the resting place of a deceased person.[29]

Polish scholars provide several possible examples of desecration:

- "defiling and any damage to the corpse, throwing faeces at it, placing offensive inscriptions on or near it, mocking the corpse or its parts, meaning touching or

[27] Pro pokhovannya ta pokhoronnu spravu, op. cit.

[28] *Naukovo-praktychny ykomentar Kryminal'noho kodeksu Ukrayiny*, op. cit., p. 889.

[29] J. Waszczyński (ed.), *Prawo karne w zarysie. Część szczególna*, Uniwersytet Łódzki, Łódź 1981, p. 150.

moving body parts with offensive or mocking statements, for example, criminal thoughts were harboured under this skull, the deceased often operated this hand in others' pockets" (L. Peiper);[30]

- "verbal insults, indecent demonstrative gestures, pouring dirt or paint on the tombstone, spitting, changing the position of the body and the purpose of the grave, digging up the grave, smashing the monument, throwing the coffin or body out of the grave" (R. A. Stefański);[31]
- "digging up a grave, scattering the components" (E. W. Pływaczewski, A. Sakowicz);[32]
- "throwing the body out of the coffin, scattering ashes from the urn, defiling the grave, drawing offensive words or symbols on the tombstone, damaging the grave, mutilating the body, leaving the body as food for wild animals, throwing the body into a septic tank or other sewage container" (A. Michalska-Varias);[33]
- "throwing corpses or ashes from a coffin or urn onto the floor or ground, unlawfully removing them from a grave, tomb, or other place of permanent storage, fulfilling physiological needs, consuming alcoholic beverages, using drugs, playing cards on a grave or with the corpse or urn, spitting, damaging the burial site, destroying sculptures, monuments, or decorations placed on or near the grave, placing offensive writings or drawings, littering, trampling, throwing objects or placing inappropriate items on the body, ashes, or resting place; name-calling, offensive names, and other forms of provocative behaviour inappropriate to the place where the body, human ashes, or resting place of the deceased is located" (Z. Ćwiąkalski).[34]

Polish scholars also suggest that desecration of a corpse may include sexual intercourse with the corpse or other sexual acts with it, as well as the use of body parts (such as the skull or limbs) to create various objects. A possible connection between the desecration of the corpse and occult practices of Satanism is also not excluded, which leads to the qualification of the act under Article 262 of the Polish Criminal Code.[35] If the perpetrator engaged in sexual intercourse with a corpse, believing that the person was alive but unconscious, then the perpetrator

[30] L. Peiper, *Komentarz do Kodeksu karnego*, Leon Frommer, Kraków 1936, p. 360.
[31] R. Stefański, *Przestępstwo znieważenia zwłok*…, op. cit., p. 24.
[32] A. Wąsk, R. Zawłocki (eds.), *Kodeks karny*…, op. cit., p. 518.
[33] W. Zalewski, *Komentarze*, op. cit., p. 425.
[34] Z. Ćwiąkalski, *Komentarze*…, op. cit., p. 1425.
[35] R. Paprzycki, *Prawnokarna analiza zjawiska satanizmu w Polsce*, Wolters Kluwer, Kraków 2002, p. 61.

is not charged with desecration of a corpse. Instead, it is classified as an attempt at an ineffective crime, as stipulated in Article 198 of the Polish Criminal Code.[36]

Desecration of a deceased person's body and its resting place can also involve body theft. For example, in Poland, there was a notable case reviewed by the Lubaczów court in 2010, where criminals stole the body of a deceased suicide bomber from a grave, beheaded it, and burned it in a car to simulate the death of one of the criminals, with the aim of avoiding a return to prison and obtaining compensation.[37]

The objects of the act specified in Article 297 of the Criminal Code of Ukraine are: a) a grave; b) another burial place; c) the body (remains, ashes) of the deceased; d) an urn with the ashes of the deceased; e) items located on (in) the grave, another burial place, on the body (remains, ashes) of the deceased.[38]

The qualified composition of this crime is present if the object of the crime is: a mass grave or the grave of the Unknown Soldier, a monument erected in memory of those who fought against Nazism during World War II – soviet liberator soldiers, participants of the partisan movement, underground fighters, victims of Nazi persecution, internationalist soldiers and peacekeepers, as well as those who defended the independence, sovereignty, and territorial integrity of Ukraine and directly participated in the anti-terrorist operation, in the implementation of measures to ensure national security and defence, repelling and deterring the armed aggression of the Russian Federation or another state recognized by the Verkhovna Rada of Ukraine as an aggressor, participants of the Revolution of Dignity, and fighters for the independence of Ukraine in the 20th century.[39]

A grave is a place in a cemetery, crematorium, columbarium, or another building or structure intended for the burial of the deceased, where a coffin with the body of the deceased or an urn with ashes is buried.[40] Another burial place is a cemetery, crematorium, columbarium, or another building or structure intended for the burial of the deceased.[41] The current version of the Law of Ukraine "On Burial and Funeral Affairs" also provides for other types of burial places. Specifically, it includes an honorary burial site, defined as "a specially designated plot of land within or

[36] W. Zalewski, *Komentarze*, op. cit., p. 430.

[37] L. Wójtowicz, *Odkopali zwłoki i odcięli głowę*, Dziennik Wschodni, http://www.dziennikwschodni.pl/zamosc/odkopali–zwloki–i–odcieli–glowe–ruszyl–proces–slawomira–j,n,1000122726.html, (accessed 10.06.2023).

[38] Criminal Code of Ukraine Act of 5 April 2001, op. cit.

[39] Ibidem.

[40] Pro pokhovannya ta pokhoronnu spravu, op. cit.

[41] Ibidem.

outside the cemetery intended for arranging honorary burials,"[42] and The National Military Memorial Cemetery is a "spatially significant state-level site located on a specially designated plot of land, which includes a military cemetery, a museum complex, a ritual building, and other necessary structures for the organization of honorary burials of those who died (or passed away) defending the independence, sovereignty, and territorial integrity of Ukraine, fulfilling their official duties, and oath of allegiance to the Ukrainian people."[43] The body (remains, ashes) of the deceased refers to a lifeless human body (corpse), which may be whole or dismembered, or its separate parts. This body is considered the object of a crime regardless of its condition–whether it is "freshly" embalmed, or mummified, and irrespective of the cause of death–natural, violent, or due to natural factors. The body of a deceased also includes the body of a stillborn infant and a body obtained as a result of an abortion.

An urn with the ashes of the deceased is a container designed to preserve the ashes of the deceased after cremation or ashes collected from an ancient burial site.

Items found on (in) the grave or another burial place, as well as on the body (remains, ashes) of the deceased, include any objects present in or on the grave, as well as in another burial place (e.g., a cross, stele, stone or other structure, or mound). These also include clothing, personal items, and jewellery, orders and medals, coffin, wreaths, lights, vases, etc. The Law of Ukraine "On Burial and Funeral Affairs" also identifies ritual objects as items that are attributes of burial and the arrangement of a grave (columbarium niche).[44]

The object of the crime under § 1 of Article 262 of the Polish Criminal Code is the body of a deceased person, human ashes, or the resting place of the deceased. In § 2 of the Regulation by the Minister of Health of the Republic of Poland dated 7 December 2001, "On the Handling of Human Corpses and Remains,"[45] it is defined that corpses are the bodies of deceased persons and stillborn children, regardless of the gestational age.

Human ashes are typically the substance that remains after the cremation of a person. Researcher A. Michalska-Warias believes that a broad understanding of the terms "corpse" and "human ashes" is justified, as this implies the need

[42] Ibidem.
[43] Ibidem.
[44] Ibidem.
[45] Regulation of the Minister of Health of 7 December 2001 on the handling of human remains, https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20011531783/O/D20011783.pdf, (accessed 10.06.2023).

to also recognize "parts of the human body (for example, an unearthed skull or fragments of the skeletal system) as corpses, and in the case of human ashes, it is the ash that results from burning (but not only from cremation, but also, for example, in a fire). Such broader interpretation results from the different purposes of using these terms in legislative acts (the difference between corpses and human remains in the regulation is necessary due to other technical requirements for handling them)."[46]

Robbery, referred to in § 2 of Article 262 of the Polish Criminal Code, is the theft of a deceased person's body, grave, or resting place for the purpose of appropriation. Polish doctrine states that robbing a body includes not only the appropriation of items that were on the deceased (such as jewellery, expensive watches, etc.), but also those that were with the deceased (for example, mementos left by relatives). It can also include elements permanently attached to the body (such as gold dental crowns, prosthetics).[47] Grave robbery or the theft from another resting place of the deceased should be understood as the theft of statues installed on the grave, metal elements, or tombstones.[48] Since the legislator clearly stated that robbery can pertain to a "grave or resting place of the deceased," Polish authors argue that the object of the crime, where the robbery is committed, can only be a grave or resting place that actually contains the body (or ashes); if the grave or resting place is empty, its robbery constitutes the crime outlined in Article 278 of the Polish Criminal Code.[49]

Conclusions

The issue of desecration of graves and other burial sites has always resonated strongly in society, as these actions violate not only legal order but also the moral foundations that ensure respect for the deceased. In the context of comparing the criminal laws of Ukraine and Poland, one can identify both common and distinct features in the approaches to defining and punishing this crime.

In the current Criminal Code of Ukraine, desecration of a grave is regulated by Article 297, which covers several aspects of this crime, from desecration of a grave to the illegal appropriation of items located at the burial site. Article 297 of the

[46] W. Zalewski, *Komentarze*, op. cit., p. 426.
[47] Ibidem.
[48] Z. Ćwiąkalski, *Komentarze*…, op. cit., p. 1425.
[49] W. Zalewski, *Komentarze*, op. cit., p. 427.

Criminal Code of Ukraine includes four parts, each describing different forms of the crime and aggravating circumstances, such as repeated offences, prior conspiracy by a group of persons, or actions that caused severe consequences.

In Polish criminal law, a similar crime is provided for in Article 262 of the Polish Criminal Code. Polish law also distinguishes between desecration of a corpse, human ashes, or a resting place of the deceased (paragraph 1) and robbery of a corpse, grave, or other resting place of the deceased (paragraph 2). It is important to note that in Polish law, this crime belongs to the group of offences against public order, emphasizing its social danger.

In the Ukrainian scientific community, there are several approaches to defining the immediate object of the criminal offence provided for in Article 297 of the Criminal Code of Ukraine. Some researchers believe that this object includes social relations that ensure the moral foundations of the memory of the deceased. Other scholars emphasize the set of social relations that support the moral principles of society in the preservation of heritage and the maintenance of intergenerational connections. The most common understanding of the object of the crime is social relations that ensure the observance of funeral customs and traditions, the honour of the deceased, their memory, and the peace of their bodies and burial sites.

In Polish scientific thought, there are also different views on the object of protection in the context of Article 262 of the Polish Criminal Code. Some researchers believe that the object is the honour and respect for the dead and their resting places; others emphasize the importance of respect for human remains and the resting places of the deceased. It is important to note that Polish scholars also highlight the need for respect for corpses and resting places, which stems from human dignity, although this does not mean that human dignity is the immediate object of protection.

The objective side of the act provided for in Article 297 of the Criminal Code of Ukraine includes desecration of a grave, another burial place, the body (remains, ashes) of the deceased, or an urn with the ashes of the deceased, as well as the illegal appropriation of the body (remains, ashes) of the deceased, an urn with the ashes of the deceased, or items located on (in) the grave or another burial place. The crime is considered completed when the actions sufficiently indicate the presence of objective and subjective signs of desecration or appropriation.

In Poland, the objective aspect of the act provided for in paragraph 1 of Article 262 of the Polish Criminal Code involves the desecration of a corpse, human ashes, or the resting place of the deceased. Polish law includes various forms of

desecration, such as defilement, damage, mistreatment of the corpse or its parts, and other actions that show disrespect towards the deceased.

A comparative analysis of the criminal laws of Ukraine and Poland regarding the desecration of graves indicates similarities in the approaches to defining this crime and its objects. Both countries recognize the importance of protecting social relations that ensure respect for the deceased and their resting places. At the same time, there are some differences in the emphasis of scientific positions and specific legislative formulations.

In light of this, improving Ukrainian criminal law could involve considering Poland's experience in more clearly defining the objects of the crime and the objective aspect of the act. It is also worth considering the possibility of expanding scientific research in this area to achieve greater consistency and effectiveness in law enforcement. On the other hand, Article 297 of the Criminal Code of Ukraine includes a much broader list of objects that are the subject of this criminal act, which could be useful for the Polish legislator.

Overall, the analysis showed quite close positions of both Ukrainian and Polish legal scholars, which gives hope for the rapid adaptation of Ukrainian criminal law to the legislation of EU countries.

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Summary

Desecration of graves and burial sites is a significant societal issue, affecting public order and morality. In Ukraine, this is covered under Article 297 of the Criminal Code, which includes various offences and aggravating circumstances like repeat offences and severe consequences. In Poland, similar crimes are addressed in Article 262 of the Criminal Code, distinguishing between desecration and robbery of a corpse or grave. Both countries recognize the importance of protecting societal respect for the deceased. Ukrainian legislation could benefit from Poland's clear definitions, while Poland might consider Ukraine's broader object list. The analysis reveals similarities, suggesting potential alignment with EU laws.

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SECURITY SUBSYSTEM FOR THE EASTERN BORDER OF THE PEOPLE'S REPUBLIC OF POLAND BY THE BORDER PROTECTION FORCES AND ITS IMPACT ON STATE SECURITY IN THE SECOND HALF OF THE 20TH CENTURY. SELECTED PROBLEMS. VOL. 2

PODSYSTEM ZABEZPIECZENIA GRANICY WSCHODNIEJ POLSKIEJ RZECZYPOSPOLITEJ LUDOWEJ PRZEZ WOJSKA OCHRONY POGRANICZA I JEGO WPŁYW NA BEZPIECZEŃSTWO PAŃSTWA W DRUGIEJ POŁOWIE XX WIEKU. WYBRANE PROBLEMY. CZ. 2

Abstract: The subsystem for the protection of the eastern border of the Polish People's Republic (PRL) (with the USSR) was one of the four subsystems for the protection of the Polish state border, which in the years from the end of World War II to the dissolution of the Border Protection Forces (WOP – 15 May 1991) ensured the protection of this section. The first part of the article discusses such issues as: tasks performed by the WOP, organization and changes in the border protection system of the

Polish People's Republic in the years 1945–1991, forces and resources of the WOP participating in the protection of the border of the Polish People's Republic until the mid-1980s and the division of the border as well as crimes committed on the border and on the border of the Polish People's Republic and the USSR.

Zarys treści: Podsystem ochrony granicy wschodniej Polskiej Rzeczypospolitej Ludowej (PRL) z ZSRR był jednym z czterech podsystemów ochrony polskiej granicy państwowej. W latach od zakończenia II wojny światowej do rozwiązania Wojsk Ochrony Pogranicza (WOP, 15 maja 1991 r.) zabezpieczał on ochronę odcinka wschodniego. W części pierwszej artykułu omówiono takie zagadnienia, jak: zadania realizowane przez WOP, organizacja systemu ochrony granicy PRL i zmiany w tym systemie w latach 1945–1991, siły i środki WOP uczestniczące w ochronie granicy PRL do połowy lat 80. XX w. oraz podział pogranicza, a także przestępstwa popełniane na pograniczu i granicy PRL–ZSRR.

Keywords: protection of the border between the Polish People's Republic and the USSR, protection of the eastern border of the Polish People's Republic until 1991.

Słowa kluczowe: ochrona granicy PRL–ZSRR, ochrona granicy wschodniej PRL do roku 1991.

Subsystem for protecting the eastern border of the Polish People's Republic until 1991

According to the arrangements adopted by the management of the Ministry of Internal Affairs of the Polish People's Republic (PRL) regarding the directions of improving border protection in the activities of the WOP until 1980, it was planned to adapt individual sections of the BWOP's official responsibility to the new administrative division of Poland. This was related to the transition to a two-level command and control structure in the relations: brigade – guardhouse and GPK brigade, with the simultaneous elimination of

the border battalion level (except for the battalions in Szklarska Poręba and Świnoujście).[1]

Therefore, on 1 June 1976, a new organisational structure of the formation was introduced. From then onwards, the 11th BWOP appeared in its organisation, as the previous WOP branches were reformed into BWOP. The 19th Kętrzyn Division of WOP was dissolved, the 22nd Białostocki Division of WOP was reformed into Podlasko-Mazurska BWOP, the 23rd Chełm Division of WOP into Nadbużańska BWOP and the 26th Przemyśl Division of WOP into Bieszczadzka BWOP.[2]

In the mid-1980s the longest section of the eastern border between the People's Republic of Poland and the USSR was protected by personnel of three BWOPs: Podlasko-Mazurska BWOP (mp. Białystok), Nadbużańska BWOP (mp. Chełm Lubelski) and Bieszczadzka BWOP (mp. Przemyśl). In total, this section of the state border amounted to 1,101.462 km (100%). Of the three BWOPs protecting this border, the longest section fell to the Nadbużańska BWOP (mp. Chełm Lubelski), which protected a total of 442.476 km, representing 40.2% of the total. A slightly smaller section of the border with the then USSR was protected by the Podlasko-Mazurska BWOP (mp. Białystok), which covered 38.3% of the total border, 421.700 km. The shortest section of the border with the USSR to protect was the Bieszczady BWOP (mp. Przemyśl). It accounted for only 21.5 per cent of the total of this border and was 237.286 km long. This was due to the fact that this BWOP was the only one to protect the border with the USSR (63.77% – 237.286 km) and the then CSRS (36.23% –134.836 km), as shown in the tables below.

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[1] This is described, inter alia, in his memoirs by a long-time officer of WOP, Colonel Dipl. J. Nikiforow, "[…] It is noteworthy that in 1975, a territorial reform of the country was carried out. The former 16 voivodeships were divided into 49. In. The section protected by the Kętrzyn WOP unit was divided. The section, i.e. the border of provinces, in the future was important for the brigade (Kashubian BWOP-I. B., I. S.), as the section of the border was extended towards the east of Elbląg and Olsztyn, and was the responsibility of the Kashubian WOP Brigade, with the remaining part belonging to the WOP unit in Białystok […]". See J. Nikiforow, *W granicznym kalejdoskopie – wspomnienia 1945–2005*, Wydawnictwo DJ Drukarnia, Gdańsk 2007, p. 95.

[2] Archiwum Straży Granicznej w Szczecinie, DWOP files, ref. no. 2519, vol. 82, Zasadnicze zamierzenia zmian organizacyjno-etatowych w BWOP do roku 1985 (projekt) z 20.07.1983 r., p. 1; See also Z. Jackiewicz, *Wojska Ochrony Pogranicza 1945–1991. Krótki informator historyczny*, Wydawnictwo CSWOP w Kętrzynie, Kętrzyn 1998, pp. 87–88, 95–96, 106, 120–121.

Table 1. Characteristics of the eastern border section of the People's Republic of Poland protected by WOP brigades as of 1985

No.	Brigade WOP protecting eastern border of the People's Republic of Poland	Length of border section protected/ percentage of total eastern border of border section protected/ percentage of total eastern border	Numbering of boundary markers with adjacent BWOPs	Territorial scope of action BWOP	Boundary strip area	Area border area	Seats of border plenipotentiaries of the former USSR
1.	Podlasko-Mazurska BWOP (Białystok)	421.700 km	2,176 (Kashubian BWOP), 1,346 (Nadbużańska BWOP)	Voivodship Suwałki and Białystok	12,651 km²	2,530.2 km²	Kaliningrad – Kaliningrad section, Grodno – Grodno section, Brest – Brest section.
2.	Nadbużańska BWOP (Chełm Lubelski)	442.472 km	1,346 (Podlasko-Mazurska BWOP), 677 (Bieszczady Mountains Regional Operation Unit)	Biala Podlaskie, Chelm and Zamosc voivodships	769,912 km²	1,946 km²	Brest – Brest section, Lviv – Lviv section.
3.	Bieszczadzka BWOP (Przemyśl)	372.122 km of which: border with the USSR – (63.77%) 237.286 km; CSRS border – (36.23%) 134.836 km.	677 (Nadbużańska BWOP), I/201 (Carpathian BWOP)	Przemyskie and Krośnieńskie voivodships.	7,647 km²	978,5 km²	USSR m. Lviv-s, CSRS-m. Kosice – eastern Slovakian section.

Source: *Biuletyn dyslokacyjny Wojsk Ochrony Pogranicza*, Wydawnictwo DWOP, Warszawa 1985 (copy in authors' collection), pp. 193, 209, 221.

Table 2. Overall characteristics of the section of the eastern border of the People's Republic of Poland protected by WOP brigades as of 1985

Brigade WOP protecting eastern border of the People's Republic of Poland	**Total three eastern BWOP**
Length of border section protected/ percentage of total eastern border of border section protected/ percentage of total eastern border	**1,236.298 km (of which 134.836 km with CSRS)**
Numbering of boundary markers with adjacent BWOPs	**2,176 (Kashubian BWOP)-I/201 (Carpathian BWOP)**
Territorial scope of action BWOP	**Seven provinces**
Boundary strip area	**8,429.563 km²**
Area border area	**5,454.7 km²**
Seats of border plenipotentiaries of the former USSR	**Seven cities**

Source: *Biuletyn dyslokacyjny Wojsk Ochrony Pogranicza*, Wydawnictwo DWOP, Warszawa 1985 (copy in authors' collection), pp. 193, 209, 221.

In the eastern border protection subsystem, in the Podlasko-Mazurska BWOP section, there were a total of 19 WOP border subdivisions including: 10 watchtowers (6-cat I –Węgorzewo, Goldap, Sejny, Sokolka, Gródek and Czeremcha, and 4-cat II – Banie Mazurskie, Rutka Tartak, Lipsk and Białowieża), 2 GPKs (Kuźnica, Siemianówka) and 1 reverse watchtower (Augustów). In this BWOP, the longest section of the border, 63 km, was to be protected by the cadre watchtower cat. I in Gródek (14.9% of the whole BWOP section), and the shortest section by the cadre watchtower cat. II in Banie Mazurskie – 19.5 km (4.62%).[3]

In the eastern border protection subsystem, in the Nadbużańska BWOP section, there were a total of 15 WOP border subdivisions including: 8 watchtowers (3-cat. I – Dorohusk, Hrubieszów and Lubycza Królewska, and 5-cat. II – Janów Podlaski, Terespol, Sławatycze, Włodawa and Dolhobyczów and 1 GPK (Terespol). In this BWOP, the longest section of the border was to be guarded by the cadre I watchtower in Hrubieszów – 80.620 km (18.3% of the total BWOP section), and the shortest section by the cadre II watchtower in Janów Podlaski –34.877 km (7.9%).[4]

[3] *Biuletyn dyslokacyjny Wojsk Ochrony Pogranicza,* Wydawnictwo DWOP, Warszawa 1985 (copy in authors' collection), pp. 194–205.

[4] Ibidem, pp. 210–219.

In the eastern (and southern) border protection subsystem, in the section of the Bieszczady BWOP, there were a total of 24 WOP border subdivisions, including: 13 watchtowers (5-cat. I – Lubaczów, Medyka, Hermanowice, Lutowiska and Łupków, and 8-cat. II – Korczowa, Ustrzyki Dolne, Wetlina, Roztoki Górne, Komańcza, Jaśliska, Barwinek and Ożenna), 2 GPKs (Barwinek, Medyka) and 1 de-escalation battalion (Sanok).[5]

However, it should be remembered that in addition to the border subdivisions of this formation (watchtowers and GPK), there were 17 organic subdivisions in the three BWOPs on the eastern border of the People's Republic of Poland, which were stationed in Białystok, Chełm Lubelski and Przemyśl (Sanok). Among them were 3 de-escalation battalions (bo), 3 companies (hereafter k.) of communications, 3 k. of protection, 3 k. of technical, 3 k. of renovation and construction, and 3 platoons (hereafter pl.) of the orchestra.

Thus, in total, there were 58 different subdivisions of this formation in the three eastern BWOPs, which had significant numbers of soldiers, as presented in the table below.

Table 3. Subdivisions stationed in the three eastern BWOPs as of 1985

No.	Type of subdivision in BWOP	WOP Brigade			Total in the three BWOPs
		Podlasko--Mazurska (Białystok)	Nadbużańs-ka BWOP (Chełm, Lublin)	Bieszczady BWOP (Przemyśl)	
1.	**Reversal Battalion**	1	1	1 (Sanok)	**3**
2.	**C. retreat**	–	–	1	**1**
3.	**C. command**	–	–	1	**1**
4.	**C. school (ZOMO)**	–	–	1	**1**
5.	**C. communications**	1	1	1	**3**
6.	**C. protection**	1	1	1	**3**
7.	**C. technical**	1	1	1	**3**
8.	**C. renovation and construction**	1	1	1	**3**
9.	**Band platoon**	1	1	1	**3**
10	**Cat I watchtower**	6 (Węgorzewo, Gołdap, Sejny, Sokółka, Gródek, Czeremcha).	3 (Dorohusk, Hrubieszów, Lubycza Królew-ska).	5 (Lubaczów, Medyka, Hermanowice, Lu-towiska, Łupków).	**14**

[5] Ibidem, pp. 222–233.

No.	Type of subdivision in BWOP	WOP Brigade			Total in the three BWOPs
		Podlasko--Mazurska (Białystok)	Nadbużańska BWOP (Chełm, Lublin)	Bieszczady BWOP (Przemyśl)	
11.	**Cat II watchtower**	4 (Banie Mazurskie, Rutka Tartak, Lipsk, Białowieża).	5 (Janów Podlaski, Terespol, Sławatycze, Włodawa, Dołhobyczów).	8 (Korczowa, Ustrzyki Dolne, Wetlina, Roztoki Górne, Komańcza, Jaśliska, Barwinek, Ożenna).	**17**
12.	**GPK**	2 (Kuźnica, Siemianówka)	1 (Terespol)	2 (Barwinek, Medyka).	**5**
13.	**Diversionary watchtower**	1 (Augustów)	–	–	**1**
Total of all subdivisions in the Eastern BWOP		**19**	**15**	**24**	**58**

Source: *Biuletyn dyslokacyjny WOP*, Wydawnictwo DWOP, Warszawa 1985 (copy in authors' collection), pp. 193–233.

In total, the three eastern WOP Brigades were assigned to protect the border with the former USSR: 3 de-escalation battalions, 1 de-escalation company, 1 de-escalation watchtower, 3 communication companies, 3 security companies, 3 technical companies, 3 repair and construction companies, 3 orchestra platoons, 13 cadre cat I watchtowers, 16 cadre cat II watchtowers and 4 Border Control Posts, as presented in the table below.

Table 4. Forces and resources of WOP in protecting the eastern border of the People's Republic of Poland according to the state 1985

No.	Name of BWOP	Organic subdivisions stationed in the BWOP area	Subdivisions operating in the service area of BWOP
1.	**Podlasko-Mazurska BWOP in Bialystok**	• de-escalation battalion, • c. communications, • c. security, • c. technical, • c. repair and construction, • orchestra platoon	• staff station cat I – Węgorzewo, • staff station category II – Banie Mazurskie, • category I – Gołdap personnel station, • category II personnel station – Rutka Tartak, • cadre station category I – Sejny, • cadre station category II – Lipsk, • staff guard post category I – Sokółka, • category I – Gródek personnel station, • staff guard post category II – Bialowieza, • cadre station category I – Czeremcha, • GPK Kuźnica, • GPK Siemianówka, • drainage structure Augustów

No.	Name of BWOP	Organic subdivisions stationed in the BWOP area	Subdivisions operating in the service area of BWOP
2.	**Nadbużańska BWOP in Chełm**	• de-escalation battalion, • c. communications, • c. security, • c. technical, • c. repair and construction, • orchestra platoon	• staff guard post category II – Janów Podlaski, • category II – Terespol personnel station, • cadre station category II – Sławatycze, • cadre station category II – Włodawa, • cadre station category I – Dorohusk, • category I – Hrubieszów personnel station, • cadre station II – Dołhobyczów, • cadre station category I – Lubycza Królewska, • GPK Terespol
3.	**Bieszczady Mountain Operation Unit in Przemyśl**	• c. retreat, • c. communications, • c. security, • c. technical, • c. repair and construction, • orchestra platoon	• cat I – Lubaczów personnel guard, • cat I – Hermanowice personnel guard, • cadre guard cadre II – Ustrzyki Dolne, • cadre guard category I – Lutowiska, • cadre station II – Wetlina, • cadre guard category II – Roztoki Górne, • cadre guard category I – Lupków, • cadre guard category II – Komańcza, • cadre guard category II – Jaśliska, • cadre guard category II – Barwinek, • cadre guard category II – Ożenna, • GPK Medyka, • Sanok retreat battalion
Overall in the three eastern BWOPs:		**retreat battalions – 3, retreat battalion – 1, retreat guard – 1, communications battalions – 3, security battalions – 3, technical battalions – 3, renovation and construction battalions – 3, bandplatoons – 3, cadre guards cat I – 13, cadre guards cat II – 16, GPK – 4**	

Source: *Biuletyn dyslokacyjny Wojsk Ochrony Pogranicza*, Wydawnictwo DWOP, Warszawa 1985 (copy in authors' collection), pp. 1–242.

Conclusions

Summarising the above, based on the source document, it should be recognised that the Eastern Border Protection Subsystem of the People's Republic of Poland in the mid-1980s comprised a relatively large number of forces and resources dedicated to the protection of this section of the People's Republic's border (58 different subdivisions).

However, between 1945 and 1991, the forces and resources allocated for this purpose varied considerably from period to period. In the last decade of WOP's existence, they were smaller than the forces operating on the other sections of the state border of the People's Republic of Poland (southern, western and maritime). Thus, against this background, the protection of the state border of the People's Republic of Poland with the USSR (eastern border) involved a relatively small percentage of the forces and resources of this formation. This was due to the fact that until the late 1980s these countries were allied states and functioned within

a single political-military bloc, called the Warsaw Pact (UW). The political structures of the UW were not dissolved until 1 July 1991.

It should also be remembered that the activity of WOP coincided with significant socio-political events that took place both domestically and internationally. This could not remain without influence on the organisation of the units, forms of activity, recruitment of professional personnel and soldiers of basic military service (hereinafter: zsw) to this formation, as well as on the organisation of the subsystem of protection of this border, or participation in the tasks of the security organs of the People's Republic of Poland. This formation changed its subordination several times between 1945 and 1991, which also affected the nature of the tasks it performed. However, throughout that period it was assigned to protect the state border, and the change of subordination from the Ministry of National Defence to the Ministry of the Interior resulted in a change in the nature of its tasks from military-defensive to political.[6]

On 19 November 1990, the Acts of 12 October 1990 came into force, "On Border Guard" and "Protection of the State Border." At the same time, work was underway to reform the WOP formation into the Border Guard (SG). On 15 May 1991, the WOP formation was stood down and the tasks of protecting the eastern border of the Republic of Poland were taken over by the current Border Guard.

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Archiwum Instytucji (Centralnych) MON w Modlinie

Archiwum Morskiego Oddziału Straży Granicznej w Gdańsku-Nowym Porcie

[6] Cf. I. Bieniecki, *Wojska Ochrony Pogranicza w systemie ochrony i obrony granicy morskiej Polski w latach 1965–1991*, Wydawnictwo Naukowe Akademii Pomorskiej w Słupsku, Słupsk 2015, pp. 1–480.

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Archiwum Wojsk Lądowych w Toruniu

Summary

The eastern border protection subsystem of the People's Republic of Poland provided protection of one of the four sections of the state border in the years 1945–1991. The second part of the article presents the organisation of the eastern border protection subsystem of the People's Republic of Poland by the Border Protection Forces (WOP) until 1991 (dissolution of this formation).

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SOCIO-ECONOMIC ASPECTS OF ENSURING GERMANY'S NATIONAL SECURITY THROUGH THE PRISM OF MODERN PROCESSES

SPOŁECZNO-EKONOMICZNE ASPEKTY ZAPEWNIENIA BEZPIECZEŃSTWA NARODOWEGO NIEMIEC PRZEZ PRYZMAT WSPÓŁCZESNYCH PROCESÓW

Abstract: National security is an important aspect of the functioning of any country, determining the stability and prosperity of society. This article examines the socio-economic aspects of ensuring Germany's national security in the context of modern processes. The definition of national security, the current situation in Germany's security system, the peculiarities of the formation of national security, Germany's role in NATO activities, the dynamics of the main state expenditures, problems and prospects for the development of NATO and Germany's national security are considered.

The general conclusion is that ensuring national security in today's world requires an integrated approach, covering economic, social and military aspects. Germany, as a strong economic and political state, plays an important role in ensuring stability in Europe and the world through active participation in international organizations, in particular NATO, and systematic improvement of its national security system.

Zarys treści: Bezpieczeństwo narodowe jest ważnym aspektem funkcjonowania każdego państwa, determinującym stabilność i dobrobyt społeczeństwa. W artykule

przeanalizowano społeczno-ekonomiczne aspekty zapewnienia bezpieczeństwa narodowego Niemiec w kontekście współczesnych procesów. Rozważana jest definicja bezpieczeństwa narodowego, obecna sytuacja w niemieckim systemie bezpieczeństwa, specyfika kształtowania bezpieczeństwa narodowego, rola Niemiec w działaniach NATO, dynamika głównych wydatków państwa, problemy i perspektywy rozwoju NATO i bezpieczeństwa narodowego Niemiec.

Ogólny wniosek jest taki, że zapewnienie bezpieczeństwa narodowego w dzisiejszym świecie wymaga zintegrowanego podejścia, obejmującego aspekty gospodarcze, społeczne i wojskowe. Niemcy, jako państwo silne gospodarczo i politycznie, odgrywają ważną rolę w zapewnianiu stabilności w Europie i na świecie poprzez aktywne uczestnictwo w organizacjach międzynarodowych, w szczególności w NATO, oraz systematyczne doskonalenie swojego systemu bezpieczeństwa narodowego.

Keywords: security, NATO, defence, economical security, GDP.

Słowa kluczowe: bezpieczeństwo, NATO, obrona, bezpieczeństwo ekonomiczne, PKB.

National security is an important aspect of the functioning of any country, determining the stability and prosperity of society. This article examines the socio-economic aspects of ensuring Germany's national security in the context of modern processes. For this, it is important to consider the definition of national security, the current situation in Germany's security system, the peculiarities of the formation of national security, the role of Germany in the activities of NATO, the dynamics of major government expenditures, problems and prospects for the development of NATO and Germany's national security.

On 14 June 2023, German Chancellor Olaf Scholz presented the first National Security Strategy "Strength. Stability. Integrated security for Germany."[1] This document, as well as the very fact of its creation, marked the most radical turn in German foreign policy in recent decades. The plan is based on an ambitious, all-encompassing approach that highlights the need to strengthen Germany's defence readiness, resilience and sustainable resource usage. Additionally, this is the first time that Russia has been acknowledged as a direct threat to Germany

[1] N. Busse, *Strategie mit Beigeschmack*, Frankfurter Allgemeine, p. 5, https://www.faz.net/aktuell/politik/inland/deutsche-sicherheitspolitik-strategie-mit-beigeschmack-18964047.html, (accessed 20.06.2023).

and its allies. The text also emphasizes Germany's commitment to collective defence and the importance of NATO. The ruling coalition has realized that it has to clarify its security policy direction more clearly. Simultaneously, the approach reflects the limited agreement amongst the coalition parties on several issues. However, because of the absence of clear goals and instruments, insufficient money and unsolved issues with policy coordination, this approach can only be used as a springboard for more debates[2].

National security is a set of measures aimed at protecting territorial integrity, political stability, economic well-being and security of citizens of the state[3]. In the case of Germany, given its history and geopolitical position, national security also includes interaction with other European countries and participation in international associations such as the European Union and NATO.

At the same time, Germany has the largest contingent of conventional armed forces in Europe within the framework of the North Atlantic Alliance.

National security is a key component for the stability and prosperity of any country. Germany is one of the leading countries in Europe and the world, ensuring its national security means protecting the interests, territory and well-being of its population. This includes not only the military aspect, but also the socio-economic components that determine the state of society.

German legislation defines a number of principles for the organization of the system of bodies that ensure safety[4]:

1. distribution of functions of intelligence, counter-intelligence and police bodies;
2. the obligation to define by law the tasks and competences of each body, as well as operational methods and means that they can use;
3. intelligence and counter-intelligence activities are separated from operative-investigative activities;
4. a mechanism for ensuring the coordination of all bodies that ensure the security of the state – the presence of special bodies and a legal framework;
5. a system of parliamentary and governmental control over the activities of special services, which checks whether they operate within the framework of the

[2] L. Gibadło, J. Gotkowska, *Germany's first national security strategy: the minimal consensus*, OSW Centre for Eastern Studies, https://www.osw.waw.pl/en/publikacje/osw-commentary/2023-06-26/germanys-first-national-security-strategy-minimal-consensus, (accessed 20.01.2023).

[3] V. A. Lipkan, *National security of Ukraine. Studyguide*, "Condor" 2006, p. 52.

[4] *Was in der Nationalen Sicherheitsstrategie steckt*, Tagesschau, https://www.tagesschau.de/inland/innenpolitik/nationale-sicherheitsstrategie-106.html, (accessed 20.06.2023).

law and helps ensure that external security is ensured by intelligence agencies and internal security is provided by counter-intelligence and police agencies.

The Federal Security Council is responsible for the direct development of the concept of state security and the development of proposals for the strategic directions of the external and internal security of Germany.

So, we can state that national security is not only an internal issue, but also the result of foreign policy and international cooperation.

Today, Germany is at the centre of attention both in Europe and in the world. On one hand, the country enjoys a stable economy and a high standard of living, but on the other hand, it faces internal social challenges, in particular, the management of mass migration processes and the integration of new socio-cultural groups.

Russia's actions in neighbouring countries and growing cyber security threats present Germany with the task of strengthening its defence capabilities and improving its response system to unforeseen events.

Germany faces complex challenges that require integrated strategies and effective risk management.

The formation of national security in Germany is based on the principles of democracy, the rule of law and effective management. In particular, the state concept defines the role of the state in protecting the population and infrastructure in emergency situations. In addition, cyber security strategies and participation in joint defence projects of the European Union indicate Germany's willingness to actively cooperate at the international level.

According to the report of the Federal Ministry of Economy and Energy of Germany, the strategy of ensuring national security includes the development of innovations, stimulation of economic growth and reduction of dependence on the import of energy resources. Germany is actively shaping its national security based on the principles of democracy and cooperation.

Germany is a key member of NATO, an alliance created to ensure the collective security of its members. The country actively promotes joint efforts in solving global threats, in particular, participation in peacekeeping operations and joint exercises. Germany, as a member of NATO, plays an important role in ensuring the collective security and stability of the national members of the alliance. Preservation of international cooperation and participation in military operations is key aspects of Germany's role in NATO.

The National Security Strategy places a strong focus on NATO's function as an alliance for collective defence, of which Germany hopes to be a major player. The phrase "NATO's eastern flank" is not included in the text, and no particular priority

has been mentioned in this context. The notion that Berlin wants to increase political-military cooperation with partners other than the US is another startling truth in the memo. Germany's efforts to modernize the Bundeswehr, execute NATO regional defence plans, agree on allocating particular soldiers to these plans and improve NATO military exercises, among other things, will determine how well it lives up to the objectives outlined in the strategy.

However, there has recently been a discussion about the percentage of German defence spending relative to GDP. Some partner countries have expressed concern that Germany's contribution should be greater to ensure the effectiveness of the alliance. Germany's role in NATO is important, but there are contradictions regarding the level of defence spending. There are numerous signs that the choice to set it at 2% of the country's Gross domestic product is by and by being tested in Germany, because of multiple factors.

Analysis of the dynamics of public spending is important for assessing the financial support of national security. Over the past five years, defence spending in Germany has grown, in particular, due to reforms in the defence industry and increased readiness of the army.

However, there is a question about the cost effectiveness and the distribution between different areas of security. A key requirement is to ensure transparency and cost effectiveness to improve the country's preparedness for various types of threats. Over the past five years, Germany's spending on national security has undergone changes in the context of the growing threats and needs of the modern world. The increase in the budget for military and cyber security expenses shows the country's awareness of the importance of effective provision of national security.

According to the NATO report, in 2021 the total defence expenditure of NATO countries amounted to 1.069 trillion US dollars, which was 2.2% of their total GDP. This rate was slightly lower than in 2020 (2.26%), but higher than in 2019 (2.12%). Among NATO countries, the USA (US$778 billion), Great Britain (US$69.8 billion) and France (US$60.8 billion) had the largest defence expenditures in 2021. The lowest level of defence spending was in Estonia (2.2% of GDP), Latvia (2.1% of GDP) and Lithuania (2% of GDP)[5].

In 2022, the total defence spending of NATO countries increased by 7.6% and amounted to 1.150 trillion US dollars. This growth was caused by several factors,

[5] NATO, *Defense expenditures of NATO countries (2014–2023)*, https://www.nato.int/nato_static_fl2014/assets/pdf/2023/7/pdf/230707-def-exp-2023-en.pdf, (accessed 20.04.2023).

in particular: the growth of the external threat associated with the war in Ukraine and the improvement of the economic situation in many NATO countries.

Among NATO countries, the USA (US$801 billion), Great Britain (US$71.3 billion) and France (US$62.2 billion) had the largest defence expenditures in 2022. The lowest level of defence spending was in Estonia (2.3% of GDP), Latvia (2.2% of GDP) and Lithuania (2.1% of GDP).

In 2023, the total defence spending of NATO countries increased by 10.2% and amounted to 1.276 trillion US dollars. This increase was caused by several factors, in particular: the further increase in the external threat associated with the war in Ukraine and the further improvement of the economic situation in many NATO countries.

Among NATO countries, the largest defence expenditures in 2023 were in the United States (US$813 billion), Great Britain (US$73.6 billion) and France (US$64.2 billion). The lowest level of defence spending was in Estonia (2.4% of GDP), Latvia (2.2% of GDP) and Lithuania (2.1% of GDP).

Based on the data for the last three years, several main ways of development of the process of growth of defence expenditures of NATO countries can be distinguished: further growth of defence expenditures in all NATO countries and the Baltic countries, focusing efforts on the modernization of weapons and military equipment, increasing cooperation in the field of defence between NATO countries.

The increase in defence expenditures of NATO countries can have a positive effect on the economy of these countries. In particular, it can lead to an increase in the production of military equipment and services, as well as to the creation of new jobs. However, rising defence spending may also lead to an increase in public debt and budget deficits.

As we can see, the dynamics of public spending shows that Germany is ready to adapt to modern challenges and invest in its security. The dynamics of public spending shows the growing attention to security issues, but requires careful analysis.

One of the main problems is social tension associated with mass migration processes. The German government must find effective solutions for the integration of immigrants and reduce the risks of social conflicts. In addition, it is important to focus on maintaining economic growth and stability. The problem of cyber security is also important, in particular due to constant cyber attacks on the energy industry and information and communication systems. Ensuring

a high level of protection and response to cyber threats is a critical task for ensuring national security.

In our opinion, the current problems of Germany's national security include social and cyber security aspects, which requires comprehensive strategies and effective risk management.

In the context of European and global security, the development of NATO remains a key task. In particular, it is important to strengthen the collective defence capability and ensure greater interaction between the members of the alliance. NATO must also adapt to new threats such as cyber security and hybrid warfare. The development of NATO requires the concerted efforts of its members. Strengthening cooperation, modernization of defence capabilities and ensuring cyber security are key directions for the future of the alliance. It is also important to expand partnerships with other international organizations and new participating countries.

In the conditions of constant geopolitical changes and economic turbulence, national security becomes the most important aspect of stability and development of any country. In this context, Germany, acting as a key player in Europe and the world, is facing numerous challenges that require balanced strategies and effective measures to ensure its national security[6]. In this article, we will consider the main aspects of modern national security challenges in Germany and possible ways to solve these problems.

1. Geopolitical and international aspects:

The change in the world order and geopolitical conflicts are becoming a serious challenge for Germany's national security. Participation in international alliances, in particular NATO, is an important element of the country's strategy. Preservation of international stability and observance of international norms is a key task for preventing conflicts that may affect national security.

Geopolitical challenges require active participation and cooperation within the framework of international organizations to preserve global stability.

2. Economic aspects and global challenges:

Ensuring economic stability is a necessary condition for national security. Increasing global challenges, such as pandemics and economic crises, require balanced strategies to preserve economic well-being. Dialogue with other economic

[6] S. Stewart, *Consolidating Germany's Russia Policy. Refine existing approaches and clarify trade-offs*, "SWP Comments" 2023, no. 30, p. 20, https://www.swp-berlin.org/publications/products/comments/2023C30_Germanys_Russia_Policy_Web.pdf, (accessed 20.04.2023).

powers and active participation in international economic organizations are key factors in solving economic challenges. Global economic challenges require joint efforts and flexible strategies to ensure sustainability.

3. Cyber security and cyber threats:

In today's digital world, cyber security is becoming a priority for ensuring national security. The growing number and complexity of cyber threats presents Germany with the task of developing highly effective cyber measures, improving cyber defence technologies and promoting international cooperation in this area. Cyber security requires constant improvement and cooperation at the international level.

4. Social and migration challenges:

Large-scale migration processes are becoming an important element of social security. Integrating new arrivals, maintaining social stability and developing social policies that promote inclusion are important tasks to prevent social conflicts. Social challenges require humanitarian approaches and inclusive policies to ensure harmony in society.

5. Prospects and development strategies:

Germany is faced with the task of developing long-term strategies to ensure national security in the face of modern challenges. The development and implementation of new technologies in the field of cyber security, support for sustainable economic growth and an active role in international organizations are critical components of the future strategy.

Modern national security challenges in Germany require a comprehensive and multifaceted approach. Strengthening economic, social and cyber security, an active role in international organizations and continuous improvement of strategies are steps necessary to effectively ensure Germany's national security in today's world.

So, taking into account all of the above and the adoption of the National Security Strategy "Strength. Stability. Integrated security for Germany" should be considered in the context of the so-called Zeitenwende (German break, change of eras, turning point)[7]. This is how Chancellor O. Scholtz spoke about the Russian invasion of Ukraine, which endangered the existing world order[8].

Berlin's decision to support Ukraine and supply weapons demonstrated that Germany has fundamentally reconsidered its own role in European security. The

[7] V. Orlyk, *Osnovni polozhennya stratehiyi natsionalnoyi bezpeky Nimechchyny*, NISS, https://niss.gov.ua/doslidzhennya/natsionalna-bezpeka/osnovni-polozhennya-stratehiyi-natsionalnoyi-bezpeky-nimechchyny, (accessed 20.06.2023).

[8] N. Busse, *Strategie mit Beigeschmack*, op. cit.

provisions reflected in the strategy on the attraction of significantly greater resources in the spheres of security and defence, the radical restructuring of energy policy, adherence to strict sanctions and the curtailment of numerous formats of bilateral cooperation with the Russian federation testify to the full participation of Germany in the systematic containment of Russia's aggressive policy.

The key point of Germany's new security approach is the demonstration of readiness to increase defence spending, increase production in the defence-industrial complex and implement effective strategic planning mechanisms.

An important element of Germany's new foreign policy doctrine is the recognition of the fallacy of the concept of rapprochement through economic interdependence. First of all, this concerns the energy sector, as there are urgent needs for a full transition to other sources of energy supply, acceleration of the transition to renewable energy sources and protection of critical infrastructure objects from cyber attacks (after the Nord Stream explosion and direct terrorist attacks). The critical reduction in supplies of Russian energy carriers, primarily gas, has already caused a number of negative phenomena in the German economy, up to the technical recession recorded in the first half of 2023.

The general conclusion is that ensuring national security in today's world requires a comprehensive approach that encompasses economic, social and military aspects. Germany, as a strong economic and political power, plays an important role in ensuring stability in Europe and the world through active participation in international organizations, in particular NATO, and systematic improvement of its national security system. The country's development and international security are interrelated and effective responses to modern challenges determines Germany's future in the global context.

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Summary

Germany, as a key player in Europe and the world, faces numerous challenges that require balanced strategies and effective measures to ensure national security. Ensuring national security in today's world requires an integrated approach, covering economic, social and military aspects. Germany, as a strong economic and political state, plays an important role in ensuring stability in Europe and the world through active participation in international organizations, in particular NATO, and systematic improvement of its national security system.

In the context of European and global security, the development of NATO remains a key task for Germany. In particular, it is important to strengthen the collective defence capability and ensure greater interaction between the members of the alliance. NATO must also adapt to new threats such as cyber security and hybrid warfare. The development of NATO requires the concerted efforts of its members. Strengthening cooperation, modernization of defence capabilities and ensuring cyber security are key directions for the future of the alliance.

However, increased defence spending may also lead to increased public debt and budget deficits. One of the main problems is the social tension associated with mass migration processes. The German government must find effective solutions to integrate migrants and reduce the risks of social conflicts. The issue of cyber security is also important due to constant cyber attacks on the energy sector and information and communication systems. Ensuring a high level of protection and response to cyber threats is a critical task for ensuring national security.

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SCHRÖDINGER'S CAT'S DILEMMA IN RELATION TO FICTITIOUS MONITORING SYSTEMS

DYLEMAT KOTA SCHRÖDINGERA W ODNIESIENIU DO FIKCYJNYCH SYSTEMÓW MONITORINGU

Abstract: Nowadays, an increasingly common form of security are fictitious monitoring systems, including primarily dummy security cameras, which do not collect data but, due to their realistic appearance, have a deterrence effect. Their effect can be compared to famous theoretical experiment known as Schrödinger's cat. The theoretical argument was supplemented by the author's observation, which was made to verify the efficiency of this kind of system in relation to accidental perpetrators.

Zarys treści: Obecnie coraz częściej spotykaną formą zabezpieczeń są fikcyjne systemy monitoringu, obejmujące przede wszystkim atrapy kamer bezpieczeństwa, które nie zbierają danych, a jedynie, ze względu na swój realistyczny wygląd, pełnią funkcję odstraszającą. Ich działanie przyrównać można do słynnego eksperymentu teoretycznego określanego mianem kota Schrödingera. Wywód teoretyczny został uzupełniony obserwacją autora, mającą na celu zweryfikowanie skuteczności tego rodzaju systemów w odniesieniu do sprawców przypadkowych.

Keywords: fictitious monitoring systems, dummy security cameras, monitoring, Schrödinger's cat.

Słowa kluczowe: fikcyjne systemy monitoringu, atrapy kamer bezpieczeństwa, monitoring, kot Schrödingera.

Introduction

Monitoring systems aim to increase the sense of security for individuals within a given space, serving a preventive and deterrent function, as well as providing potential evidence in case of violations. Currently, they are being installed in an increasing number of locations, both in public and private spaces. They have numerous tangible benefits: monitoring public spaces, homes, offices or other areas can significantly enhance the sense of security for both people in those places and their property. In workplaces, monitoring systems can assist in supervising employees and business processes, contributing to increased work efficiency and the minimization of abuse and theft. Surveillance cameras can also be used to monitor working conditions, industrial environments or traffic flow to prevent accidents and incidents. In public spaces, surveillance cameras can be employed to monitor community behaviours, traffic patterns or public events, thus contributing to maintaining order and safety. Monitoring systems can also aid in optimizing operational activities, such as in public transportation, logistics or urban infrastructure management. However, it often represents a costly investment, especially for more advanced and reliable systems. Nevertheless, substitutes for cameras are available on the market, providing only a faithful imitation of the real ones, including their appearance and simulated functioning lights – their cost can be up to fifty times lower than the full-value models they imitate. Of course, they do not capture any images or sounds; rather, their effectiveness stems primarily from psychological factors. The aim of this article is to apply Schrödinger's cat dilemma to fictional monitoring systems as an explanation of their effectiveness. The argument is supported by observation.

Erwin Schrödinger was an Austrian physicist, primarily known as one of the founders of quantum mechanics and for his work on wave mechanics (for which he was awarded the Nobel Prize in 1933).[1] He is also the creator of the

[1] Nobelprize.org, *Erwin Schrödinger: Facts*, https://www.nobelprize.org/prizes/physics/1933/schrodinger/facts/, (accessed 21.11.2023).

1935 thought experiment, commonly referred to as Schrödinger's cat, the presentation of which will be relevant to this work.

Fig. 1. Schrödinger's cat in eyes of artificial intelligence

Source: https://www.bing.com/images/create?cc=pl, (accessed 02.01.2024).

The experiment required the cat to be enclosed in a box, inaccessible to the researcher from the outside. The animal was placed there along with a closed vial of poison – however, due to atomic decay, the vial could break at any moment, releasing the toxin and thus killing the radiation-sensitive cat. The thought experiment, requiring a suspension of disbelief,[2] assumed that in this situation, the animal is simultaneously in two states – alive and dead. The researcher is unaware of when the poison will be released and must rely solely on probability without directly checking the box. Only after opening the container can this state be verified and reduced to a dichotomous choice: the cat is alive or the cat is dead; before that, one can speak of superposition: a hypothetical state of suspension.[3] This experiment (purely theoretical – Schrödinger ultimately did not harm any organism) originally concerned the field of physics and was related to the principles of atomic functioning. Over the years, it has been applied to various other areas of science, such as philosophy, psychology, as well as architecture, law, and literary analysis. However, Schrödinger's cat dilemma can also be successfully applied to everyday life, including attempting to explain the effectiveness of fictional monitoring systems, which will be done in the further pages of this work.

In attempting to find a solution to the research problem, which reads as follows: "How can Schrödinger's cat dilemma explain the potential effectiveness of fictional monitoring systems?" a method of non-participant observation was applied, requiring the creation of new environmental conditions and then recording their impact on participants.

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[2] Believing in the author's intentions, even in the face of internal opposition from the reader, is aimed at accepting their narrative (T. Garbol, *Poetic faith and a willing suspension of disbelief in Zygmunt Haupt's prose*, "Forum of Poetics" 2023, iss. 31, p. 132).

[3] W. Pearson, *Na tropie niewyjaśnionego. Tajemnice, wobec których nauka pozostaje bezradna*, Między Słowami, Kraków 2021, p. 211.

Operation of fictitious monitoring systems

Monitoring systems utilizing security cameras are among the basic and most frequently used security measures worldwide – it is estimated that over a billion such devices are installed across the globe.[4] They are capable of recording images in high resolution and in darkness, as well as sound, serving not only a deterrent function but also facilitating the potential detection and apprehension of perpetrators of crimes or providing evidence for law enforcement agencies. However, cheaper alternatives exist on the market, with prices starting as low as 5 Polish zlotys. For the purposes of this work, they will be referred to as fictional monitoring systems. Being only an imitation of real security cameras, they lack their functionality. Manufacturers, in advertising their products, point out the following advantages:

- Realistic appearance, ensured by the use of durable materials, identical shape to real security cameras, and increasingly, a battery-powered flashing LED light, simulating the device's operation;
- Quick and easy installation, requiring no electrical connection or wiring;
- Adaptability to both indoor and outdoor conditions, hence, decoys can be used universally.[5]

Buyers predominantly seem to be satisfied with the performance of the products. Analysing the comments of buyers from large online shopping platforms such as Allegro, Amazon or Media Expert, originating not only from Poland, one can read the opinions of people from countries such as France, Sweden, Italy, Spain and the United Kingdom, a picture emerges of reliable equipment fulfilling its role and being inexpensive.

The use of fictional monitoring systems in the vast majority of cases also does not result in legal conflicts – their use is entirely legal, due to the fact that they do not record either images or sound. The only contentious aspect may be the use of logos of authentic companies producing such equipment, which constitutes a violation of copyrights and may be subject to legal penalties. However, this happens rarely, not significantly affecting the credibility of the decoys' appearance.

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[4] W. Urbanek, *Monitoring wizyjny: coraz bliżej miliarda*, https://crn.pl/artykuly/monitoring-wizyjny-coraz-blizej-miliarda/, (accessed 16.01.2024).

[5] Toroton. Fikcyjne kamery nadzoru zewnętrznego (product), https://www.amazon.pl/TOROTON-Fikcyjne-zewnętrznego-slonecznej-antywlamaniowa/dp/B0767DPX4D, (accessed 16.01.2024).

On the internet, articles can be found outlining how to distinguish real systems from fictional ones. However, it is assumed that this skill is more familiar to professional burglars, while a casual thief or vandal may have greater difficulties.[6] However, one can pose the question: is it worth saving on monitoring, installing only decoys, while having legitimate concerns about becoming a victim of specialized thieves? Attempting to make a comparison between the two types of equipment, the following conclusions can be drawn:

- The cheapest counterfeits lack credibility-enhancing additions – primarily referring to flashing LED lights of various colours, depending on the make and device model. However, increasingly, battery-powered lights or small solar panels are used, making them visually closer to typically used, real models.
- The installation location of the camera may be crucial for the credibility of the equipment. For example, the absence of visible wiring or completely illogical placement of the equipment (e.g. on a tree) may fail to deter potential burglars. Moreover, models intended for indoor and outdoor use may significantly differ in appearance and the mismatch between the installation location and its purpose can also deprive the decoy of credibility.
- Modern visual equipment has zoom, motion tracking, or lens change capabilities. The "mobility" of the camera and its absence can be a differentiating factor between a functioning camera and a decoy.[7]

The psychology of cameras

Just as people may feel reluctance to stand in front of a camera lens and dislike being recorded, a natural aversion to security cameras may also arise, explained by psychologists through various theories. For example, one can mention the general fear of surveillance, manifested both in aversion to security devices and towards individuals performing guarding or supervising tasks. The sense of constant surveillance can affect an individual's overall sense of security. Moreover, fear of monitoring cameras may also stem from social evaluation concerns or the application of social comparison theory, where individuals may

[6] Reolink, *W jaki sposób odróżnić prawdziwą kamerę od taniej podróbki?*, https://reolink-sklep.pl/w-jaki-sposob-odroznic-prawdziwa-kamere-od-atrapy, (accessed 16.01.2024).

[7] Ibidem.

fear judgment of their behaviours recorded by devices.[8] However, this work focuses on the deterrent function against potential criminal elements, hence other reasons stemming from psychological factors will not be extensively described. Furthermore, situations in which burglars and thieves exhibit high levels of professionalism by circumventing or destroying security cameras will also be omitted – the following considerations will concern random and opportunistic criminals, assuming that concerns about more serious criminal acts should be met with increased security measures.

Deterrent functions are one of the elements of a comprehensive security system and the effectiveness of their operation may depend on various factors such as location, environment and the awareness of individuals in the area. Fictional security systems, due to their lack of functionality, interact differently with the senses of intruders, relying on the psychological factor of uncertainty about the system's operation and effectiveness.

Cameras and Schrödinger's cat

This situation can be directly related to Schrödinger's experiment, where the cat in this case would be the dummy camera. Without insight into the interior of the device (dummy cameras, instead of containing electrical circuits and wiring, are usually almost empty), the camera is in a state of suspension, superposition – it is simultaneously functioning and non-functioning, alive and dead – just like the experimental cat. Only by opening the box – or, in the context of monitoring, committing a prohibited act – can one verify their assumptions. However, in the described situation, the risk is much greater – while in Schrödinger's cat experiment the catalogue of outcomes is limited to the cat being in one of two states, in the case of crime and the operation of the monitoring system, the stakes may involve detection or not, which in turn can lead to prosecution and conviction. This makes committing a crime by an unprepared bystander seem risky in their eyes, and thus, unprofitable, tipping the scale of potential benefits below the estimated risk. Just as in the described scientific experiment, in the case of a layperson, individuals who cannot effectively distinguish between real and fictional monitoring may act with the hope that the camera is a decoy, and even in the

[8] J. Suls, L. Wheeler, *Social Comparison Theory*, in: P. Van Lange, A. Kruglanski, E. Higgins (eds.), *Handbook of Theories of Social Psychology*, vol. 1, SAGE Publications Ltd, London 2012, p. 460.

event of an attempt to destroy it, it will not capture any image allowing for the identification of the intruder.

To verify the effectiveness of fictional monitoring systems, observation was conducted. It involved placing a dummy security camera within recreational shelters in public spaces in the town of Wieszyno, in the Redzikowo municipality of the Pomeranian Voivodeship. Regular acts of vandalism were occurring there, perpetrated by local youths – resulting in physical damage to wooden walls and tables, littering, glass breaking or painting vulgar graffiti. To verify the effectiveness of such security measures, the camera was placed under the roof, in a difficult-to-reach location, and daily checks were made to see if:

1. The camera was still in place;
2. There were any further acts of vandalism.

The study was conducted from 31 July 2023 to 12 October 2023, where the end date marked the first act of vandalism since the start of the study.

First and foremost, installing the decoy camera helped reduce damage during the holiday period, when youths have ample free time, often utilized for various activities including those related to destruction and deviance. The camera was in place for 73 days, during which period there was no improper use of the shelters. Importantly, the number of visits to the observed location was also reduced, which may suggest that society does indeed show a kind of aversion to surveillance and being observed. Moreover, I received repeated inquiries from youths about whether the camera was real or not.

The peaceful situation was disrupted on 12 October, when it was noted that the dummy camera had been completely destroyed, and the shelters, presumably in "retaliation," were subjected to renewed vandalism – dozens of bottles were smashed, rubbish was scattered and some loose boards from the walls were torn out. Relating this to Schrödinger's cat experiment, this moment can be described as opening the box – almost literally. The destruction of the camera revealed that its interior was empty – the mythical superposition of suspension between the operation and non-operation of the camera ceased to apply and the aspect of mystery completely disappeared. This led to the decision to install a real system, allowing for round-the-clock observation of the area to catch the perpetrators and further monitor the terrain.

Conclusions

The conducted observation led to certain conclusions regarding fictional monitoring systems:

- These systems can be effective in relation to lighter forms of legal violations, such as acts of vandalism or minor, incidental thefts.
- Dummies can be used as a cheap temporary substitute in cases where one is awaiting the installation of a real system.
- The greater the resemblance to real, functional equipment, the greater the effectiveness of the dummies.
- The presence of cameras and the associated sense of observation can negatively impact the well-being of some individuals.
- The mere dilemma regarding the authenticity of cameras can serve as an effective deterrent.

Taking the above into account, it can be stated that the factor of uncertainty can have a significant influence on people's behaviour. Just displaying signs saying "under surveillance" can reduce the number of legal violations in a given area. Society is generally not inclined to take risks, therefore, in relation to criminal activity, the existence of fictional monitoring systems can result in a reduction of real crime and misdemeanours. Thus, using the cat analogy employed by Schrödinger, these "cats," represented by dummies of functional security cameras, can deter "mice" who fear whether they will be "attacked" or not.

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Summary

The risk factor associated with the presence of uncertainty is the main reason for the effectiveness of fictitious security systems that merely mimic real operation. The dilemma posed to a potential lawbreaker – whether the camera is real or not – thus resembles the dilemma posed by Erwin Schrödinger with the cat in the box with poison, in a superposition suspended between two states. The uncertainty associated with this, and the necessity of verifying this state, means that such cheap imitations may exhibit some effectiveness in deterring random perpetrators, however, an experienced thief will either be able to distinguish the imitation from a functioning model, and even if not, when planning a crime, will take monitoring into account. In the case of minor offences, however, this type of equipment can be helpful, as demonstrated by the conducted observation. Fictional monitoring systems can therefore serve as a temporary or permanent measure in public spaces to deter acts of vandalism or petty theft.

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THREATS TO CIVILIZATION FOR THE EDUCATIONAL SECURITY OF THE STATE. SELECTED ASPECTS

ZAGROŻENIA CYWILIZACYJNE DLA BEZPIECZEŃSTWA EDUKACYJNEGO PAŃSTWA. WYBRANE ASPEKTY

Abstract: Security is not permanent and fluctuates, depending on both external and internal factors. Thus, threats to the educational security of the state also arise. Therefore, proper education delivered in the formation of appropriate social attitudes and behaviour in the face of threats should be key to maintaining the stability of the country's security.

Zarys treści: Bezpieczeństwo nie ma charakteru stałego i podlega fluktuacjom, zależnym zarówno od czynników zewnętrznych, jak i wewnętrznych. Pojawiają się więc również zagrożenia dla bezpieczeństwa edukacyjnego państwa. Dlatego właściwa edukacja przejawiająca się w kształtowaniu odpowiednich postaw społecznych i zachowań w obliczu zagrożeń powinna być kluczowa dla utrzymania stabilności krajowego bezpieczeństwa.

Keywords: state, security, threats, education.

Słowa kluczowe: państwo, bezpieczeństwo, zagrożenia, edukacja.

Introduction

"The 1990s saw major reevaluations in the mentality of people in general and politicians in particular. It is significant that the reevaluations did not always have a rational basis and did not always lead to rational solutions."[1] These processes were accompanied by discussions (which are still taking place) as to the shape of the future security space. The political discourse that was going on at the time was aimed at the sphere of security primarily economic, which consequently led to the so-called military stalemate. The decisions made involved a gradual reduction in spending on security and the development of the armed forces, which resulted in a gradual reduction in the defence capabilities of the countries accepting such a policy. The scale of these negative decisions was demonstrated by the ongoing Russia-Ukraine armed conflict (beginning February 2022).

During this time, the perception of security has changed. During the period of the bipolar division of the world, security concerned only the political sphere (foreign policy) and the military sphere. In contrast, after its disintegration, "security refers to almost all areas of development: social, economic, political, scientific, technical, technological, ecological, demographic, cultural,"[2] food, information, health, financial, education, access to natural energy resources (oil and gas), access to safe drinking water, and so on.

It should be emphasized that security is not permanent and fluctuates, depending on both external and internal factors. "It is both a state and a process, that is, it can be determined bic et nunc, but it is not characterized by immutability over long periods of time, as it depends on moving balances of power."[3] "This means that priorities in state security policy cannot remain unchanged. They undergo transformations and there is a change in their order of importance depending on the domestic situation and the international conjuncture. At the same time, it should be noted that the degree of importance and security of the state is a function of changes in the international environment, in neighbouring countries, the region and, finally, on a global scale."[4]

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1 J. Gołębiewski, *Bezpieczeństwo narodowe RP*, „Zeszyt Problemowy. Towarzystwo Wiedzy Obronnej" 1999, no. 1, p. 9.

2 Ibidem, p. 9.

3 J. Stefanowicz, *Bezpieczeństwo współczesnych państw*, PAX, Warszawa 1984, p. 18.

4 S. Kamiński, *Bezpieczeństwo Polski. Problemy i wyzwania*, „Biuletyn Towarzystwa Wiedzy Obronnej", [s.a.], p. 6.

The transformations initiated covered all functions of the state (external and internal). Particularly noteworthy are the socio-political, ideological, economic, scientific, educational, cultural and military spheres, and access to information. These processes are accompanied by many challenges, where opportunities and threats can be seen primarily in the evolving security space. The scale of these changes and their dynamics have surprised many opinion leaders, academics, political and economic elites, as well as the military. The process of global systemic reform involves all participants in international relations.

Processes related to aggressive globalization make "observed phenomena paradoxically opposite in the social sphere, intensify national separatist tendencies, where negative phenomena are superimposed on the conglomerate of ethnic groups and national minorities differing in culture, language, religion, wealth and level of education. New states have emerged, many of which pose a threat to regional peace not only in military terms. […] Occurring tensions and hostilities, social, political (economic – author's note) inequalities, migration saturation, levels of organized crime, sectarian activity, terrorism, unemployment, public health and others, are issues that the international community has serious problems solving."[5] This means economic, political, cultural expansion and dependency, which complicates and deepens the existing differentiation between the Rich North and the Poor South. These developments are changing the geopolitical and geostrategic situation of the world, as well as the existing perception of security, which is no longer exclusively a military category or foreign policy implementation.[6]

The end of the Cold War marked the beginning of the dismantling of the old international order and the building of a new one, the beginning and course of which surprised everyone. "For the first time, world global politics is multipolar, as well as multi-civilization; this entails a change in the balance of power between civilizations: the influence of the West is weakening, Asian civilizations are growing in economic, military and political strength, while the Islamic civilization is gripped by a demographic explosion (and offensive actions that threaten world security – author's note). Thus, countries with similar cultural characteristics are cooperating with each other, grouping around the countries that are the centres of their civilizations."[7] The world has faced escalating existing and new conflicts with diverse

[5] J. Gołębiewski, *Bezpieczeństwo narodowe RP*, „Myśl Wojskowa" 2000, no. 3, p. 22.

[6] A. Żebrowski, *Walka informacyjna w asymetrycznym środowisku bezpieczeństwa międzynarodowego*, Uniwersytet Pedagogiczny, Kraków 2016, p. 23.

[7] A. Dawidczyk, *Nowe wyzwania, zagrożenia i szanse dla bezpieczeństwa Polski u progu XXI wieku*, AON, Warszawa 2001, p. 30.

backgrounds, where contradictions have emerged along *tectonic lines*[8] dividing not only nations and states, but entire civilizations. Samuel Huntington draws a rather dark vision of a world in which conflicts between different civilizations will intensify. Their particular generator will remain Western civilization, seeking to spread its universalist aspirations as a model for other cultural countries to follow.[9] States group themselves around cultural and religious centres. At their core remain states with power, "…will, and intellectual acumen, capable of shaping the entire international system in accordance with their professed ideals."[10] "Certainly, such an arrangement is formed by: a group of countries centred around Russia (the circle of Russian-Orthodox civilization), the most demographically dynamic India (the circle of Hindu culture), Confucian China, active in the Far East, centred around Iran, like the catalyst states, Islamic nations spreading their influence from the Middle East through North Africa to Malaysia, linked by the bond of homogeneous belonging to the same culture, Western countries with the dominant position of the United States, occupying most of Europe, Australia, New Zealand and almost the entire continent of North America, as well as the world of Hispanic countries, covering South America and Central America. Mention should also be made of […] African civilization, occupying the southern part of the African continent, and […] Japanese civilization, occupying only the area of the Japanese islands in total, but with an extremely wide range of influence in the world."[11]

The global security space is asymmetrical, unpredictable and dominated by the clashing aspirations of powerful states, or those claiming to be regional powers in this environment. Asymmetry is present in all areas of states' activities, and this applies to both the material and spiritual spheres.

Table 1. Spheres of asymmetry

Material sphere
Armed struggle – in which the intention of the dominant party is to seek territorial invasion, occupation and complete subjugation of the opponent
Economic war – destroying and ruthlessly making the economy of the weaker dependent on the dominant and expansive economy of the stronger

[8] S. Huntington, *Zderzenie cywilizacji*, Wydawnictwo Literackie MUZA, Warszawa 1998, p. 67.

[9] Ibidem, p. 30.

[10] H. Kissinger, *Dyplomacja*, Bellona, Warszawa 1996, p. 17.

[11] A. Dawidczyk, *Nowe wyzwania, zagrożenia i szanse*…, op. cit., p. 31.

Material sphere
Economic warfare – destroying the economic base of the weaker, or as part of the economic warfare and expansionary economy of the stronger
Information warfare – involving all information activities with respect to the adversary, carried out with the intention of promoting a specific political or military objective, while providing adequate protection for its own information systems
Scientific confrontation – involving actions aimed at destroying the opponent's scientific independence, degrading its scientific base, especially academic centres and scientific and research institutions (both military and civilian)
Technical confrontation – aimed at gaining an absolute (asymmetric) technical and technological advantage over the adversary, which, through the achievements of revolutionizing the combat capability of the armed forces of one of the parties, deprives the other party of the opportunity to effectively oppose, or even protect against the effects of the means of destruction used.
Spiritual sphere
Cultural war – aimed at imposing on the opponent its own cultural patterns and customs, decisively displacing the existing ones and obliterating national identity and social ties among the population of the opposing side
Religious war – aimed at imposing on the population of the opposing side the religious dogmas proclaimed by the expansive side, including norms, customs and rituals, which is carried out using all available means, while ruthlessly combating other forms and manifestations of religious worship
Ethnic confrontation – aimed at imposing on the opponent's social and environmental groups, and ultimately on its society as a whole, alien principles and patterns, degrading prevailing moral values, introducing confusion, instability of moods and unpredictability of behaviour; this confrontation is usually accompanied by the development of social pathologies in the form of the spread of drug addiction, alcoholism, pornography, violence and other such phenomena.

Source: P. Gawliczek, J. Pawłowski, *Zagrożenia asymetryczne*, Warszawa 2003, pp. 12–13.

At the dawn of the 21st century, the international community has not succeeded in eliminating or minimizing conflicts of a military and non-military nature. Areas of negative cooperation are being transformed, which is sometimes a source of further and qualitatively new threats, including those of an asymmetric nature.

In the asymmetric environment of international security is located the adversary, which can be defined using the following criteria: political, ideological, social, educational, economic and economic, military, technical, cultural, religious,

nationality, legal, information, conducted criminal and terrorist activities, etc. The scale of the changes and their dynamics over time make it increasingly difficult to identify such an adversary who, using cloaking ventures (including information disruption and information defence), avoids revealing their identity. This is why it is so important to forecast threats, their magnitude and structures, including the adversary and their capabilities, and to take preemptive action, which is sometimes extremely difficult. It is worth bearing in mind that any entity (individual, group, nation, state, enterprise, corporation, political parties, armed forces, intelligence and counter-intelligence services, organized crime groups of an international nature, terrorists, mercenaries, rebels, etc.) that aims at military and/or non-military confrontation, most often do not have the potential to counter the opponent. Existing differences in military, economic, scientific-technological and technological capabilities, as well as population potential, mean that one of the antagonistic parties chooses and implements a strategy of asymmetric action, which is intended to restrict the opposing side from exploiting its military or non-military advantages.

Asymmetric actions are also undertaken by the side with such economic and war potential that allows it to achieve its strategic goals in confrontation with a weaker opponent, such as the Hamas-Israel or Russia-Ukraine armed conflicts. This disparity very often goes hand in hand with dominance in scientific, technical and technological, economic or information potential.

They exert influence not only in the material sphere. Their particular area of activity is evident in the spiritual sphere, directed at the processes that shape our ideas, perceptions of the environment and attitudes. Such an example is the ongoing global information warfare. This information activity wreaks havoc on the minds of individuals, social groups and nations. It is present in the political, social, cultural, educational, economic, scientific and military spheres. Very often it leads to irreversible changes in our lives, threatens our existence and entire human communities. Political decisions aimed at the strategic goals of those in power often result in unemployment, poverty, homelessness and social, political exclusion, which translates into discontent in a radicalized society. "This is obliquely exploited by various religious fundamentalisms, nationalist movements and political parties. Social stratification, often without justification, intensifies aggression and violence. Often intransigent political struggle, a low culture of public debate, lack of trust and struggle against authorities, and verbal aggression accompanying these phenomena, introduce divisions that cause permanent social antagonisms, leading to exclusion from political, social, economic,

cultural life of both individuals and social and professional groups stigmatized in this struggle."[12]

Threats

The ongoing transformation of civilization is the source of many complex threats "associated with the possibility of loss of such values as health, life, various freedoms, freedom, material goods by the individual (social group, nation), thereby making the world of human life less secure, more unstable and unpredictable. Sometimes human security is threatened by the actions of nature, which we are unable to tame, but more often by the intentional actions of man, who seeks to subjugate others and enslave them by imposing power, his own value system and lifestyle, and exploratory actions."[13] Very often these actions are undertaken in the name of peace, respect for human rights or democratic principles. In reality, they are masquerading actions aimed at maintaining a unipolar world rule and/or participating in the new division of the world and spheres of influence.

The object of information activity over a wide range is society itself. "It is present in the ongoing psychological warfare, which exploits diverse contradictions of political, ideological, social, cultural, religious, national, ethnic nature, among others. In addition, there is the inspiration of armed movements, chaos, panic, assassinations, sabotage, diversion, exposure of threats to undermine, weaken, collapse the moral state of the opponent, and deprive him of the will to fight (in the military and non-military spheres)."[14]

The goal of activities carried out as part of psychological warfare is to weaken the moral and political resilience of the public, introduce chaos and disinformation, and undermine confidence in the policies pursued by the authorities.

In this ongoing global information conflict, national, ethnic and sectarian antagonisms have been revived, accompanied by the construction of a new security order in the geopolitical sphere, which is extremely difficult. We are witnessing the uncontrolled movement of people on a global scale, which is the source of many complex threats to the security of individual states. A wave of nationalism

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[12] R. Bera, *Pedagogika bezpieczeństwa w kontekście współczesnych zagrożeń w życiu społecznym*, „Annales Universitatis Mariae Curie-Skłodowska Lublin-Polonia" 2017, no. 4, p. 12.

[13] Ibidem.

[14] A. Żebrowski, *Walka informacyjna*…, op. cit., p. 395.

and xenophobia is sweeping through Europe, which is, by fomenting fear of strangers and others, being used in a consuming political struggle for dominance both in the internal and external spheres. The ideas of solidarity, tolerance, openness and intercultural education[15] are being undermined in a qualitatively new dimension, sometimes conflicting with national interests.

Progressive globalization is a new dimension of the world, which affects not only politics, economics and culture, but also education and other areas of the state (countries). Globalization is dominated by global capital, which is a combination of industrial, commercial and banking capital. "It dominates the international economy. In terms of politics, finance capital is interested in consolidating state power and then mastering it. The state, in the interests of the cartels, subordinates the working strata to their interests."[16]

Observation of the ongoing processes related to globalization, as to countries, or regions, allows us to conclude that it varies. The rich benefit while the poor continue to lose their political, social, economic, scientific and military potentials, as well as national cultural patterns. "Nobel Prize-winning economist Joseph Striglitz believes that global capitalism in the form of international financial institutions is pushing market fundamentalism, which doesn't work because its premises are false. These institutions are undemocratic, as evidenced by the secretive decisions being made to privatize and liberalize economies in the countries of the world, and this is forcing an end to government intervention."[17]

In a changing security environment, "the directives of global capitalism are forcing countries to cut social security and other spending on collective needs, which reduces demand and deepens recessions. The liberalization of international trade results in the relocation of manufacturing companies to low-wage and low-tax countries, which increases unemployment in developed countries. In poor countries, interest rates on credit are being raised for fear of rising inflation, which will lower the inflation rate but increase poverty."[18] In addition, global capital is creating total economic and social chaos everywhere by deregulating the market, finance, employment (ease of firing and hiring, arbitrary employment contracts), social protection, the state budget, education, health, culture, the judiciary and internal security.[19]

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15 R. Bera, *Pedagogika bezpieczeństwa*…, op. cit., p. 12.
16 Z. Narski, *O dyktaturze kapitału globalnego*, SUSPENS, Toruń 1994, p. 7.
17 Ibidem, p. 9.
18 Ibidem, pp. 9–10.
19 Ibidem, p. 10.

The global organization of the world is also evident in social globalization, which is also evident in culture and education, where the processes (decisions) taking place do not always support the fundamental interest of the state, which is its security in the broadest sense (including educational security). In these complex conditions, consumerism, which is the idea of success, power but also money, is visible. It is the idea of selfishness, which despises the common good in favour of the individual good, which negates spiritual goods in favour of material ones. It can be assumed that consuming is an illusory idea of happiness, a totalitarian belief in the happiness of buying and consuming – it is consumer materialism that rejects the spiritual.

These actions are accompanied by political cosmopolitanism, which leads to the belief that humanity should be subjected to the authority of a single superpower. This stems, for example, from the existence of the so-called global village that is the world, from the common destiny of all, from the so-called world citizenship. International institutions are built that limit the sovereignty of the state and nations (very often with the state's acquiescence), such as the International Monetary Fund, which imposes cosmopolitan rationales on them. National interests are negated because they allegedly threaten the good of the international community. The goal is to subordinate nations to the interests of a single superpower."[20]

It is worth being aware of the fact that political cosmopolitanism has a key influence on cultural cosmopolitanism, whose strategic goal is to build a global community in the 21st century through the power of shaping the spiritual sphere. This element is particularly visible and accentuated in the ongoing information operations carried out as part of the global information war. The importance of the spiritual sphere is appreciated and taken into account in organizing and waging war in the spiritual sphere. Participants in this global war are aware of the fact that human spirituality is the central control system of human life. For example, "film or image culture is saturated with banality, silliness, violence, amorality and the so-called thunder of electronic music. Film and television induce people to abandon critical reasoning in order to embrace cosmopolitan values, called the virtues of modern and progressive humanity."[21] The plot is dynamic, but the drastic nature of the scenes, vulgarities and violence shape the psyche of the viewer regardless of age. The plot is devoid of deeper content, it does not require

[20] Ibidem, p. 28.
[21] Ibidem, p. 29.

thinking, its purpose is to stupefy and demoralize, to get rid of ideals and spiritual values because control over the swat is nothing more than control over man, his consciousness, perception of the environment and his reasoning. Demoralization, this is moral decay and appropriation, corruption. Man, who is the object of aggressive informational activity, slowly becomes a faithless mercenary of other people's interests, a contractor and thus a representative of foreign interests. The aggressive party aims in the process of information activity to disrupt the moral order of the crowd, which is subjected to manipulation, that is, to consciously and dishonestly control the views or actions of people who pursue goals previously alien and unnecessary to them, but in accordance with the will of the manipulator. Such manipulation, as well as disinformation or propaganda – is a "beloved tool not only of all regimes of the world, but practically every state. There is a special danger hidden in it: people deprived of access to verified information become more susceptible to manipulation. They can easily be told any nonsense and direct their anger in any direction. […] The apparatus of covering up history, fabricating evidence, denigrating important people, ethnic, national and religious groups or even entire countries, inciting against others and stirring up hatred is still in operation today."[22]

Political cosmopolitanism has a dominant influence on cosmopolitanism not only culturally, but also through educational cosmopolitanism which, by definition, is aimed at young people; however, its impact is much broader. Educational cosmopolitanism is aimed at youth rebellion and youth revolution in the name of supposedly defending their democratic rights.[23] It is worth being aware of the fact that broad rights for young people are being promoted, which defy the authority of parents and school, as well as any social authority. Actions of this nature translate into a reduction of requirements in school at all levels of education. In elementary schools, learning is a kind of fun, the goal is to avoid tormenting children or stressing them, and in general to plebeian enlightenment with regard to the indigent strata of the population. Children, adolescents and students have the right to evaluate the level of teaching of teachers. "This is aimed at weakening parenting and intellectual requirements. Parents, through their children, also evaluate teachers and negate their requirements. Teachers, including academic teachers, are losing their educational authority and are unable to nurture and teach because the education system diminishes their role.

[22] I. M. Pacepa, R. J. Rychlak, *Dezinformacja*, EDITIO, Gliwice 2015, cover text.
[23] Z. Narski, *O dyktaturze*…, op. cit., p. 29.

A psyche of impunity is formed in the young and they are unable to reconcile freedom with duty. Democracy of children and young people at school is not conducive to education."[24] The strategic goal is stultifying education, causing didactic and social chaos.[25]

Another extremely important issue is the difficulty in the process of educating young people. The dominance of politics and ideology translates into this process, where educational programmes are oriented to the interests of one political party. Demoralization, such as violence and sex, are accepted. The dangers of criminal offences of increasingly younger people should also be kept in mind, as they feel impunity where the law protects them. We are witnessing verbal aggression, vulgarity, the disappearance of civility and politeness. Young people are susceptible to violence, where the media occupies a key position, accepting such behaviour among the so-called political elite, among others, which is supported by the law enforcement and justice apparatus. These negative patterns are adopted by young people. Being in criminal groups gives a sense of community, security but also impunity. "Youth aggression arises where school society (at every level of education) does not condemn it. The lives of young people are dominated by pop culture. Authorities, personalities, ideas and values are not recognized. Success for them is a magic word that means only their own interest. They want to have first in order to be somebody later. Humanitarian education is lacking."[26]

Decisions made in the sphere of education at all levels as well as popular culture are key methods of mastering society through the manipulation of views favourable to globalization. In this system, a new class division is created with consideration of such factors as wealth, power and consumption. This is important because it is taken into account in the process of access to education and differentiates society, which is the source of much antagonism and is used in the process of educating young people and even the whole society. Classes are distinguished according to wealth:

1. oligarchic – represents the chief decision-makers of the state and the economy,
2. plutocratic – brings together managers of the wealthy elite,
3. affluent – is the wealthy, middle class,
4. poor – struggling to survive,
5. dejected – with no hope, no job, no home.[27]

[24] Ibidem, p. 44.
[25] Ibidem, p. 29.
[26] Ibidem, pp. 44–45.
[27] Z. Narski, *O dyktaturze*…, op. cit., Toruń 2004, p. 31.

This class division allows the managers of the state and the economy to select the right cadres by pointing to the directions of education from their point of view. The class-differentiated education process allows them not only to be selective, but to secure their own interests. These conditions threaten the educational security of the class society, which translates into the level of perception of the surrounding global security environment and individual countries, as well as their awareness.

Education at every level of schooling and universal culture are key methods of mastering society through the manipulation of views favourable only to globalism. Representatives of the oligarchy are educated broadly and holistically, capturing the problems of the world holistically in a reciprocal relationship. Elite education serves this purpose. Managers receive specialized and general education. Creative intelligentsia, on the other hand, specialize narrowly in narrowly defined disciplines of knowledge, which are also narrowed so that different specialists are unable to communicate. The rest of the workforce learns primarily technical skills, with the goal of educating good performers. In contrast, the rank-and-file workers are given only a plebeian education, i.e., uneducated and indigent people with an indifferent attitude towards culture; they do not understand the world around them, which makes it easier to manipulate them according to the goals of global capital. In this case, the goal of manipulation is to educate the plebeian class in such a way as to convince them of the need to sacrifice for globalism, so that they do not complain about difficulties, do not rebel against social discipline, are optimistic and believe in their success.[28]

Education itself is subordinated to the goals of global capital, which means selective teaching tailored to the modern class division. It boils down to indoctrination and the search for talented youth. "Selection begins as early as elementary school and boils down to the creation of classes for leading students, destined for secondary education. Another selection takes place in high school, where elite and ordinary classes are organized. The elite classes prepare for higher education, where two fields of study are favoured with a broad knowledge profile (for decision-makers) and a practical one specialized for practitioners."[29] Dilettante education, on the other hand, is a sham of modern forms and methods, which is commonplace. Such a course of study is devoid of humanistic content. Impoverished content and lack of requirement are daily occurrences in so-called

[28] Ibidem, p. 43.
[29] Ibidem, pp. 43–44.

education. The threat to education stems, among other things, from the education model. They are not induced to assimilate knowledge and enforce it, the punishment system is not applied and dutifulness is not urged. Parents support the school in these efforts, pamper their children and are not demanding. "In their upbringing, ludicism,[30] a playful atmosphere and disregard for duty prevail. The school's demands on the acquisition of knowledge and skills are decreasing."[31]

Inherent in influencing the minds of young learners is the government's acquiescence to students' evaluation of teachers. This approach is designed to undermine intellectual requirements and the educational process. Actions of this nature are supported by parents, who negate the requirements and imposition of educational duties on work at home. The existing system has the effect of lowering the authority of the teaching staff, which translates into teaching and upbringing. Thus, a psyche of impunity and disregard for educators is created in young people. This is part of the education system at every level of education. Disregard for pedagogues and duties, with the creation of such behaviour by the ruling political elite serving global capital and parents.

With the failure to observe elementary rules of conduct, young people feel impunity, respect for others disappears, accompanied by contempt and aggression, which is supported by the environment. Very often young people join gangs, which give them a sense of community, recognition and security. Aggression arises where society condones and the education system tolerates such behaviour. "The lives of young people are dominated by the subculture. […] Success for them is a magic word that means only their own interest. They want to have first in order to be somebody later. Humanitarian education is lacking."[32]

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[30] Ludic, anything that concerns fun and entertainment. The term ludic can be used in this connection to describe any event that serves to entertain (indulgences, festivals, picnics). The ludic function of language, media, art, etc. is primarily to entertain audiences and provide them with various types of entertainment (W. Doroszewski (ed.), *Słownik języka polskiego*, https://sjp.pwn.pl/doroszewski/ludyczny;5447484.html, (accessed 23.11.2023)).

[31] Z. Narski, *O dyktaturze*…, op. cit., Toruń 2004, p. 44.

[32] Ibidem, p. 45.

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Summary

Education in the negative sense is part of the created culture of global capital, with demoralizing characteristics such as violence, vulgarity and sex. The premise is to promote an entertaining lifestyle, devoid of thoughtful depth, where brutality and amorality dominate. As such, culture must be light, friendly without obligation or effort. Cultural products are worthless commodities that fill the void of life. It threatens humanity, demoralizes, expropriates minds, and is subservient to global capital. Culture manipulates the views of young people, who very often take other people's views as their own. It often degenerates into dogmatism and worldview fundamentalism.

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YOUNG AND ANGRY. POLISH SCHOOL OF AGGRESSION ON THE INTERNET

MŁODZI GNIEWNI. POLSKA SZKOŁA AGRESJI W INTERNECIE

Abstract: The phenomenon of cyber violence has been identified by academia recently, despite the fact that Internet communication has been developing since the second half of the 20th century. There is a rising need to understand its determinants and implications for the security of children and teenagers. The main objective of this paper is to characterize cyber violence, its most important causes and selected consequences for youths in Poland. It also focuses on analysing the most important, domestic legal regulations regarding acts of violence on the Internet.This paper argues that this common phenomenon is caused both by traditional determinants of violence among young people, as well as by the specificity of Internet communication, including easily accessible, harmful content (i.e. "patostreams", pornography), anonymity and massiveness. Cyber violence, usually taking the form of e.g. acts of verbal aggression, impersonation, deception, humiliation or ridiculing in the online environment, has not been met with social understanding and serious deliberation. There has been a visible lack of greater awareness of its causes among parents and teachers. Moreover, so far the Polish government has not adopted an integrated strategy of combatting cyber violence.

Zarys treści: Wprawdzie komunikacja w Internecie rozwija się od końca XX wieku, jednak zjawisko cyberprzemocy zidentyfikowano w nauce stosunkowo niedawno. Istnieje

potrzeba pełniejszego zrozumienia jego uwarunkowań oraz konsekwencji w kontekście bezpieczeństwa dzieci i młodzieży w sieci. Celem niniejszego artykułu jest omówienie nie tylko samego pojęcia cyberprzemocy, ale także jego potencjalnych przyczyn oraz wybranych konsekwencji dla nieletnich w Polsce. Ponadto charakteryzuje on najważniejsze rodzime regulacje prawne dotyczące odpowiedzialności nieletniego za akty przemocy internetowej.

Według Autorki zjawisko przemocy internetowej w Polsce jest obecnie powszechne, na co wpływ mają zarówno czynniki, które tradycyjnie sprzyjają powstawaniu agresji wśród nieletnich, jak i sam charakter Internetu, w tym m.in. łatwość dostępu do treści patologicznych (pornografia, tzw. patostreamy), anonimowość komunikacji oraz masowość. Cyberprzemoc, przejawiająca się aktami agresji słownej, oszustwami, podszywaniem się, poniżaniem lub ośmieszaniem w środowisku online, nie jest niestety problemem, który spotyka się ze zrozumieniem społecznym. Brakuje przede wszystkim pełniejszej świadomości jego przyczyn zarówno wśród rodziców, jak i nauczycieli, czego przejawem jest np. niedokładna wiedza opiekunów na temat poczynań podopiecznych w Internecie. Ponadto jakkolwiek wiele aktów cyberprzemocy jest w Polsce penalizowanych, to nadal brakuje zintegrowanej strategii przeciwdziałania im przez instytucje państwowe.

Key words: cyber violence, electronic aggression, juvenile delinquency, demoralization, patostreams.

Słowa kluczowe: cyberprzemoc, agresja elektroniczna, przestępczość nieletnich, demoralizacja, patostreamy.

Introduction

Juvenile delinquency is a phenomenon that is increasingly heard about in the media, although its scale is gradually decreasing.[1] Nevertheless, in recent years it has been possible to notice the emergence of new forms of illegal behaviour among children and adolescents. Criminal acts are no longer committed only by

[1] See Biuro Prewencji i Ruchu Drogowego Komendy Głównej Policji, Wydział Prewencji, *Informacja dotycząca stanu zagrożenia przestępczością nieletnich w Polsce w 2015 roku*, http://www.policja.pl/download/1/189850/Przestepczosnieletnichw2015r.pdf, (accessed 06.10.2018).

minors from pathological, difficult or dysfunctional families, but increasingly often by young people from so-called "good homes." A young person spends a significant part of his or her time at school, which to some extent educates him or her. It is often there that various forms of aggression occur.[2] This aggression is not only physical, but also verbal. It sometimes leads to psychological aggression, which has a different specificity but often equally serious consequences. In this context, information technologies are increasingly becoming a vehicle for aggressive behaviour, both in adults and among children and adolescents. The Internet, as one of the most momentous and beneficial communication and media developments in history, has become a platform for interactions whose consequences can be pathological phenomena. One of these is undoubtedly cyberbullying, which has become a particularly serious challenge to the safety, as well as the proper psychological development, of children and young people.[3]

Although online communication has been developing for a long time, the phenomenon of cyberbullying has been identified in science relatively recently. There is therefore a need for a fuller understanding of its determinants and consequences in the context of online safety for children and young people. The aim of this article is to discuss not only the concept of cyberbullying itself, but also its potential causes and selected consequences for minors in Poland. In addition, it characterises the most important domestic legal regulations concerning minors' responsibility for acts of online violence.

The concept of aggression in science

In order to understand the phenomenon of cyberbullying, it would be necessary to start by clarifying basic terms such as violence and aggression. According to the definition of the Polish Scientific Publishers' Encyclopaedia (PWN), aggression is derived from the Latin "aggressio," "aggression" or "attack" and means "a psychological tendency to use violence frequently in relations with others as a way of solving conflicts or achieving life goals, called

[2] J. Blikowska, J. Ćwiek, *Nieletni Polacy: wściekli i samotni*, Rzeczpospolita, http://www.rp.pl/Spoleczenstwo/305169863-Nieletni-Polacy-wsciekli-i-samotni.html, (accessed 24.07.2018).

[3] Najwyższa Izba Kontroli, Delegatura w Kielcach, *Zapobieganie i przeciwdziałanie cyberprzemocy wśród dzieci i młodzieży*, https://www.nik.gov.pl/plik/id,15249,vp,17730.pdf, (accessed 06.10.2018).

aggressiveness; it can take the form of physical behaviour, take on indirect and hidden forms, as well as express itself in symbolic actions as well as in the form of a verbal attack, it may be reactive in nature, constituting the discharge of aroused emotions of anger, rage, irritation, or instrumental – actions undertaken in order to obtain desired objects, states of affairs, values."[4]

Another important term is violence. According to Article 2(2) of the Act of 29 July 2005 on counteracting violence in the family (Journal of Laws No. 180, item 1493, as amended), violence in the family is "a single or repeated intentional act or omission violating the rights or personal goods of the closest persons (as defined in Art. 115 § 11 of the Penal Code), as well as other persons residing or managing together, in particular exposing these persons to the danger of loss of life, health, violating their dignity, bodily integrity, freedom, including sexual freedom, causing damage to their physical or mental health, as well as causing suffering and moral harm to the persons subjected to violence."[5] Moreover, violence can take many forms:

- physical – consists of various forms of behaviour and of varying degrees of intensity, e.g. slapping, hitting, kicking, pushing, shoving, taking away various objects (backpacks, mobile phones, books) – most common among schoolchildren, extortion of material goods, failure to provide the required assistance, etc;
- sexual – coercion into certain sexual behaviours and contacts (rape, forced viewing of pornographic films, pornographic images, forced sex with third parties, etc.);[6]
- psychological – this is a type of violence that focuses on, among other things, intimidation, humiliation and blackmail. Often these are verbal or non-verbal threats of violence against the person or what belongs to them. In addition, this type of violence also leads to ridicule of religious views, abandonment or the imposition of one's own views;

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[4] *Agresja*, in: Encyklopedia PWN, https://encyklopedia.pwn.pl/haslo/;4007508, (accessed 15.09.2018).

[5] Announcement of the Speaker of the Sejm of the Republic of Poland of 24 August 2015 on the announcement of the consolidated text of the Law on Counteracting Domestic Violence, Dz.U. (Journal of Laws) 2015, item 1390.

[6] Ministerstwo Sprawiedliwości, *Przemoc w rodzinie – definicja, rodzaje, formy*, https://pomocofiarom.ms.gov.pl/pl/przeciwdzialanie-przemocy-w-rodzinie-w-polsce/przemoc-w-rodzinie---definicja-rodzaje-formy/#:~:text=Zgodnie%20z%20art.%202%20ust.%202%20ustawy%20z,cierpienia%20i%20krzywdy%20moralne%20u%20os%C3%B3b%20dotkni%C4%99tych%20przemoc%C4%85., (accessed 15.09.2018).

- economic/material – denying or limiting access to shared financial resources or taking away money earned, preventing or restricting gainful employment, but also destroying objects and the like.[7]

In the scientific literature, researchers explain aggression in three ways. The first is instinct. This assumes that aggression is something innate. Currently, this theory is not valid, but it often recurs in explanations of aggression as a feature of human nature. Another is frustration. It states that aggression stems from frustration and leads to aggressive impulses every time. This has been criticised many times because not all frustration necessarily leads to aggressive behaviour. The last theory is the social learning of aggression, i.e. the acquisition of aggression through environmental influences.[8] The creator of this theory was Canadian professor Albert Bandura. According to him, we learn new behaviours not only through rewards and punishments, but also the environment around us.[9]

The concept of cyberbullying

In characterising the concept of cyberbullying, also referred to as electro-bullying aggression, it should first be emphasised that its proper vehicle is the so-called new media. It is in these media that cyberbullying manifests itself.[10] The 20th century saw the proliferation of media known as mass media, which influenced mass culture. Tomasz Goban-Klas defines it as a collection of stories that tell us about the essence of the universe, how it came into being and how it works, what is good and what is bad, in behaviour at a particular time, place and society.[11] Explaining what new media is is not that simple, because the word "medium" itself is so ambiguous that it is impossible to give a precise and exhaustive definition. The term new media is sometimes defined as "all media techniques and technologies that have been in widespread use since the mid-1980s. The

[7] A. Stępień, *Zjawisko agresji w środowisku młodzieży: pojęcie agresji, przemocy oraz ich objawy*, „Pedagogika Rodziny" 2015, vol. 5, no. 3, pp. 177–190.

[8] S. Guerin, E. Hennessy, *Przemoc i prześladowanie w szkole. Skuteczne przeciwdziałanie agresji wśród młodzieży*, Gdańskie Wydawnictwo Psychologiczne, Gdańsk 2004, p. 9.

[9] See K. Bocian, *Dzieci uczą się agresji od dorosłych*, http://badania.net/dzieci-ucza-sie-agresji-od-doroslych/, (accessed 23.10.2018).

[10] J. Pyżalski, *Agresja elektroniczna i cyberbulling jako nowe ryzykowne zachowania młodzieży*, Oficyna Wydawnicza „Impuls", Kraków 2012, p. 9.

[11] T. Goban-Klas, *Media i komunikowanie masowe. Teorie i analizy prasy, radio, telewizji i Internetu*, PWN, Warszawa 2007, p. 38.

dawn of the new media age is associated with the spread of personal computers, satellite television and video, and so-called 'off-monitor' technologies, namely the tele-fax and the mobile phone."[12] As M. Nieć states, some researchers use the term only to analyse digital media . However, the phrase was first used as early as 1951 by Marshall McLuhan in a letter to Harold Adams Innis. The term was referred "to such features of the media of the time as (radio and television), 'electronic information gathering' and the 'global village.'"[13]

In Poland, the concept of cyberbullying has been promoted by the Nobody's Children Foundation, which is one of the largest NGOs dealing with this problem.[14] Cyberbullying, also referred to as electronic aggression, involves the use of violence via the Internet and other media. It is stalking, harassment, intimidation, harassment or ridicule.[15] According to Karolina Duszczyk, "cyberbullying can start with clicking 'like' under a ridiculous photo or malicious comment, under someone's publication or footage."[16] It can take various forms, e.g. sending compromising photographs or films, hacking into Internet accounts of post offices, social networks or communicators, with the aim of sending out compromising, false material or making truthful information public. Jacek Pyżalski defines this phenomenon very broadly "as aggression using communication technologies."[17] According to another approach, it is "intentional and repeated (multiple) harm caused by means of an electronic text."[18] According to A. Czesławiak, currently the above phenomenon includes: "teasing, lying, spreading rumours, making malicious or unfavourable comments, which are carried out through email, chat

[12] M. Lakomy, *Demokracja 2.0. Interakcja polityczna w nowych mediach*, Wydawnictwo WAM, Kraków 2013, p. 66.

[13] A. Nacher, *Remiks i mashup – o niełatwym współbrzmieniu dwóch cyberkulturowych metafor*, „Przegląd Kulturoznawczy" 2011, no. 1(9), p. 79; M. McLuhan, *List do Haralda Adamsa Innisa z 1951 roku*, in: idem, *Wybór tekstów*, Poznań 2001; M. McLuhan, *The Later Innis*, "Queen's Quarterly" 1953, vol. 60, no. 3.

[14] A. Czesławiak, *Agresja elektroniczna i cyberbullying wśród dzieci i młodzieży a działania szkoły*, „Media w Edukacji" 2008, p. 9.

[15] P. Szeląg-Jarosz, *Cyberprzemoc (cyberbullying, cyberstalking): czym się objawia i jakie są jej rodzaje? Jak reagować na cyberprzemoc?*, http://www.poradnikzdrowie.pl/psychologia/wychowanie/cyberprzemoc-cyberbullying-cyberstalking-czym-sie-objawia-i-jakie-sa-jej-rodzaje-jak-reagowac-na-cyberprzemoc_45486.html, (accessed 24.07.2018).

[16] *Hejt – cyberprzemoc w sieci*, Stress Free, https://stressfree.pl/hejt-cyberprzemoc-w-sieci/, (accessed 05.11.2018).

[17] *Agresja elektroniczna. Definicja*, https://sites.google.com/site/agresjaelektroniczna2013/1-definicja, (accessed 23.10.2018).

[18] See W. J. Patchin, S. Hinduja, *Bullies move beyond the schoolyard: A preliminary look at cyberbullying*, "Youth Violence and Juvenile Justice" 2006, vol. 4, no. 2, pp. 148–169.

rooms, websites or through mobile phone capabilities (e.g. sending images or texts) and taking unwanted photos or videos."[19]

Citing J. Pyżalski, eight types of electronic aggression can be distinguished:

- "Electronic bullying against peers." When we talk about this, we mean the relationship between the perpetrator and the victim. The two are in a relationship belonging to the same social group, e.g. attending the same class at school. The perpetrators of these acts may act anonymously or also openly harass their victim in the real world. Such situations are carried out in a repetitive manner. Perpetrators often cooperate together in spreading acts of electronic aggression.[20] In the age of the Internet and ubiquitous smartphones, young people are not only perpetrating violence, they are also recording it and then "uploading" it online. In Poland, we have already had a few cases of cyberbullying leading to tragedy. One such situation was the suicide of a 14-year-old boy from Gorczyce, who commited suicide because he was ridiculed and bullied by his peers because of his appearance and alleged sexual orientation. The boy had been bullied for a long time because the problem had already emerged in primary school. Another tragedy took place in Bieżuń, where a teenager left a suicide note in which he explained whom he considered his "colleague," "friend" and "enemy." It was the last group that allegedly contributed to his suicide.[21] Another high-profile case was one from 2017 concerning the beating of a 14-year-old girl by three middle school students in Gdansk and the subsequent posting of the incident online. In the situations described above, it is uncertain to what extent social media contributed to these tragedies, but given that almost 94% of teenagers go online, and one in three are online virtually all the time, it is highly likely that much of this behaviour took place via mobile devices or the internet.[22] It is not only in Poland that such situations occur. Recently in the USA, a 12-year-old girl committed suicide because she was receiving text messages from her peers saying "Kill yourself." In addition, she allegedly received

[19] A. Czesławiak, *Agresja elektroniczna i cyberbullying*…, op. cit., p. 9.

[20] J. Pyżalski, *Agresja elektroniczna – wirtualne ciosy, realne rany – cz. I*, „Remedium" 2008, no. 9, pp. 26–27.

[21] P. Wójtowicz, *Wirtualne słowa, rzeczywisty ból. Jak cyberprzemoc niszczy dzieci*, Wprost, https://www.wprost.pl/zycie/10083561/wirtualne-slowa-rzeczywisty-bol-jak-cyberprzemoc-niszczy-zycie-dzieci.html, (accessed 25.07.2018).

[22] Pracownia Edukacji Zastosowań Technologii Informacyjno-Komunikacyjnych NASK, *Raport z badania „Nastolatki 3.0"*, Narodowe Centrum Kultury, https://nck.pl/badania/raporty/raport--nastolatki-wobec-internetu-3-0, Warszawa 2017, (accessed 25.07.2018).

messages on Snapchat in which she was called a "loser" by her classmates and ridiculed for her appearance.[23]

- "Electronic aggression against teachers."When we talk about this type, we mean that the victim is the teacher or educator of the perpetrator. The perpetrator of this aggression is most often a pupil or a group of pupils, directing their messages directly or indirectly. By direct means, e.g. the use of mobile phones, and by indirect means, e.g. by creating blogs or various forums or websites etc. and posting comments there.[24] One of the more high-profile cases of this type took place in 2009, when a vocational school student "poked a teacher" and, putting his shoes on his desk, told him to lick them. The whole situation was recorded and then posted on the internet, where it was found by police officers who were monitoring the web.[25]
- "Electronic aggression against strangers in the real world." In this situation the victim and perpetrator do not know each other. The attack occurs impulsively and is directed towards an unknown person, e.g. by using aggression towards another participant in online conversations.[26] Such a person's primary goals are to hurt and ridicule others (indicated by 51 per cent of respondents), to post offensive posts, photos and videos (47.6 per cent) and to maliciously portray people and events (47.4 per cent).[27] According to Dominik Batorski, hackers are "people who are frustrated, dissatisfied with their own lives, but also have a lot of free time, which they devote precisely to attacking other Internet users."[28]
- "Electronic fraud" involves the fact that the victim and the perpetrator may or may not know each other in the real world. The perpetrator, either by deceiving their victim or by impersonating them in the virtual world, aims to portray them in an unfavourable light or wants to take advantage of them.[29] In 2007,

[23] *12-latka popełniła samobójstwo bo rówieśnicy pisali jej: „Zabij się"*, Rzeczpospolita, https://www.rp.pl/Spoleczenstwo/180629844-12-latka-popelnila-samobojstwo-borowiesnicy-pisali-jej-Zabij-sie.html, (accessed 06.11.2018).

[24] J. Pyżalski, *Agresja elektroniczna*…, op. cit., pp. 26–27.

[25] B. Sowa, *Cyberprzemoc w szkole! Jak polscy uczniowie gnębią nauczycieli*, Dziennik.pl, http://edukacja.dziennik.pl/artykuly/382426,cyberbullying-w-szkole-jak-polscy-uczniowie-gnebia-nauczycieli.html, (accessed 08.11.2018).

[26] J. Pyżalski, *Agresja elektroniczna*…, op. cit., pp. 26–27.

[27] Ł. Rogojsz, *Hejter znad Wisły: kim jest, jak działa, dlaczego obraża*, Newsweek, https://www.newsweek.pl/polska/hejt-w-internecie-kto-hejtuje-jak-walczyc-z-hejtem-w-sieci/3xlrl4r, (accessed 08.11.2018).

[28] Ibidem.

[29] J. Pyżalski, *Agresja elektroniczna*…, op. cit., pp. 26–27.

actress Eyka Farhana was the victim of cyberbullying. The attack on her consisted of a sex tape posted on the Internet, of which Eyka was said to be the protagonist. The actress has denied rumours about this, claiming that she is not the one on the tape, but a woman who bears a strong resemblance to her. The matter has been reported to the police.[30]

- "Electronic aggression against celebrities and celebrity."In this case, the victim is a person who is known from newspapers, TV or gossip sites or who is known only online. Consequently, the two parties have no personal relationship in the real world.[31] Many TV "stars" have to deal with so-called "online hate." Recently, Małgorzata Rozenek, Hanna Lis and Weronika Rosati took part in an action against hate speech.[32]
- "Electronic aggression related to a personal relationship."In this situation the aggression occurs between people who know each other and have a close relationship. It is most often the result of a relationship being ended by one party and where the other party disagrees. In view of this, the motivation is to use electronic aggression towards a person with whom a closer relationship can no longer be maintained.[33] More often than not, this is a repetitive situation and lasts for a long time. Many people become victims of bullying when, for example, a relationship with a partner ends.[34]
- "Electronic aggression in the form of criminal threats."In this group the main determinant is the content of the aggression, i.e. the use of specific threats, e.g. suggesting beatings or even loss of life.[35] This may be the case when the joke convention of the so-called "youtubers" does not quite work out and offensive words are uttered by the video's protagonist.[36]

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[30] M. Wojciechowska, *Padła ofiarą cyberprzemocy. „To nie ja jestem bohaterką tej sekstaśmy"*, WP Kobieta, https://kobieta.wp.pl/padla-ofiara-cyberprzemocy-to-nie-ja-jestem-bohaterka-tej-sekstasmy-6170997275170945a, (accessed 08.11.2018).

[31] J. Pyżalski, *Agresja elektroniczna*…, op. cit., pp. 26–27.

[32] See K. Gargol, *„Każdy ma ją za dupodajkę". Rozenek, Rosati i Lis w mocnej akcji przeciw hejtowi*, na:Temat, https://bliss.natemat.pl/240317,rozenek-rosati-i-lis-czytaja-hejterskie-komentarze-na-swoj-temat, (accessed 08.11.2018).

[33] J. Pyżalski, *Agresja elektroniczna*…, op. cit., pp. 26–27.

[34] *Mój były mnie nęka – jak bronić się przed stalkingiem*, WP Kobieta, https://kobieta.wp.pl/moj-byly-mnie-neka-jak-bronic-sie-przed-stalkingiem-5982441624064641a, (accessed 08.11.2018).

[35] J. Pyżalski, *Agresja elektroniczna*…, op. cit., pp. 26–27.

[36] Zob. K. Lewandowski, *„Chcesz dostać?", czyli gdzie kończy się żart, a zaczyna groźba i strach* [video], Wawalove, https://wawalove.wp.pl/chcesz-dostac-czyli-gdzie-konczy-sie-zart-a-zaczyna-grozba-i-strach-wideo-6178749601359489a, (accessed 08.11.2018).

- "Electronic aggression in the context of a joke."In this situation it is difficult to speak of aggression, because the parties between whom this relationship takes place adopt a kind of convention and treat aggressive messages as a joke.[37] This type of online aggression is often manifested by so-called "youtubers." These are so-called "pranks," i.e. humorous materials. This is in the realm of a joke or a prank as long as the person being made fun of also sees it that way and smiles.[38]

Thus, it can be seen that the phenomenon of cyberbullying includes a range of qualitatively different behaviours involving different configurations of online interpersonal relations, different methods of action, as well as diverse effects. Thus, they do not necessarily involve minors. Instead, electronic aggression perpetrated by children and adolescents may be a manifestation of their demoralisation. At the same time, it should be emphasised that they are the most vulnerable group of Internet users who can potentially suffer the greatest harm from electronic aggression. Therefore, cyberbullying is sometimes considered in science in the broader context of threats to children and young people in cyberspace. According to Jarosław Wujkowski, these can include:

- illegal trafficking online,
- pirated software,
- fraud,
- cyberbullying,
- others (including online auctions, advertisements, money-earning offers, media services).[39]

In his view, cyberbullying is an illusory concept, as there is a high degree of anonymity of the perpetrator on the Internet. It has many forms. It is extremely quick to disseminate material that is then widely available. Moreover, victims are constantly vulnerable to attack regardless of location or time of day. Finally, there are difficulties in removing the compromising material, and an obstacle to countering cyberbullying by adults is poor knowledge of the specifics of electronic media and downplaying of the problem.[40]

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[37] J. Pyżalski, *Agresja elektroniczna*…, op. cit., pp. 26–27.

[38] K. Lewandowski, *„Chcesz dostać?"*…, op. cit.

[39] J. Wujkowski, *Zagrożenia dla dzieci i młodzieży w cyberprzestrzeni – elementy profilaktyki, prawa i przeciwdziałanie. Konferencja Wielkopolskiego Kuratora Oświaty dla dyrektorów szkół i placówek oświatowych, Kalisz, 24.08.2017 r.*, Ośrodek Doskonalenia Nauczycieli w Kaliszu, http://ko.poznan.pl/wp-content/uploads/2017/10/cyberzagrozenia_kuratorium_kalisz_24_08_2017.pdf, (accessed 20.09.2018).

[40] Ibidem.

It should be mentioned that cyberbullying can be qualified as one of the elements of computer crime. According to Interpol, cybercrime has two approaches. The first is vertical, meaning that it "concerns crimes specific to cyberspace, i.e. those that can only be committed there, e.g. hacking, computer sabotage." The second approach is the so-called horizontal one – it assumes "the commission of crimes using computer techniques (e.g. computer fraud, money counterfeiting, money laundering, etc.)."[41] According to the above approach, in some cases of online aggression, manifested, for example, by persistent harassment that would result in suicide, one could speak of computer crime.

Social environment as a determinant of aggressive behaviour among adolescents

There is no doubt that some of the sources of cyberbullying can be traced back to traditional factors influencing the occurrence of aggressive behaviour among young people. It is therefore worth discussing the most important of these. A characteristic feature of youth is having authorities. Initially, a child's authority figure is most often a parent. Then, when we enter the pre-school/early school period, the authority is still the parent, but also the teacher/educator. It is only when we enter adolescence that these places are taken by the peer group, and it is this group that initially contributes to how the young person behaves. It is at this point that imitation of all kinds of behaviour, including negative behaviour, begins. The source of a teenager's aggressive behaviour can also be found in his or her family environment. It can be influenced by the atmosphere in the family home. It is during this period that a parent should pay most attention to their children. It is not enough to ask "how was school?" or "what's up?"[42] A perfunctory questioning at such an undoubtedly difficult time as adolescence leads to emotional rejection on the part of the parents. At this point, the parent is faced with quite a challenge. He or she should not only be a parent to the child, but also someone like a friend. Of course, it is important not to overstep a certain boundary. For it is the parent who must demand, impose conditions and set limits, but also not become

[41] R. Szymczykiewicz, *Czym jest cyberprzestępstwo*, Infor.pl, https://www.infor.pl/prawo/prawo-karne/przestepstwa-komputerowe/298370,Czym-jest-cyberprzestepstwo.html, (accessed 18.08.2018).

[42] M. Ziemska, *Postawy rodzicielskie*, Wiedza Powszechna, Warszawa 1973, pp. 7–9.

a bully to the young person. He or she must not just set ever-higher goals for him or her, excessive demands that often lead to criticism or punishment. Of course, one must demand and expect results and outcomes, but the child must not feel abandoned or alone. He or she must still have his or her basic affiliation needs (needs for affection, love, belonging) and security needs met. Failure to meet these needs at a later age can lead to various types of aggression.[43] The kind of family a young person lives in has a huge impact on how he or she grows up and functions in school life and in the future. Parental deficiencies or dysfunction in the family can have a negative impact on adult life – at school and beyond. Parents should bear in mind that it is school failures that largely generate aggression in the young person. They are the consequence of learning delays and bad behaviour. They are often the beginning of much more serious problems, i.e. lying, truancy, running away, using alcohol or the increasingly popular designer drugs. This in turn can lead directly to drug addiction or first-time offending. It is important to remember that the way adults behave towards each other or towards their children is reflected in the behaviour of the young person, his or her personality, the way he or she expresses him or herself, the use of certain terms and the expression of his or her opinions. Young people are often well aware that, at such a young age, they are almost unpunished. They may be threatened with educational measures or, in the worst-case scenario, a correctional facility, but this is not a measure that is very often applied to a person entering adolescence.[44]

In this context, according to a study by G. Miłkowska-Olejniczak, when giving the reasons for their aggression, students mentioned:

- "fear of a low grade,
- fear of failure,
- a large number of homework assignments,
- unannounced papers,
- frequent homework,
- lack of freedom of expression,
- antipathy of the teacher towards pupils,

[43] A. Stępień, *Zjawisko agresji w środowisku młodzieży*…, op. cit.

[44] M. Stachowicz-Piotrowska, *Agresja w szkole. Przyczyny – problemy – zapobieganie*, „Forum Dydaktyczne" 2009, no. 5–6, https://repozytorium.ukw.edu.pl/bitstream/handle/item/1793/Monika%20Stachowicz%20Piotrowska%20Agresja%20w%20szkole%20Przyczyny%20problemy%20zapobieganie.pdf?sequence=1&isAllowed=y, (accessed 18.09.2018).

- fear of being reprimanded,
- fear of malicious remarks about oneself,
- fear of worsening relationships with colleagues,
- fear of physical punishment by the teacher."[45]

According to research, the most frequent aggressive situations at school are in toilets and cloakrooms during breaks.[46] There are certain traits and behaviours in adolescents that can foster situations of aggression towards themselves. Such characteristics may include:

- "sensitivity,
- shyness,
- insecurity and cautiousness in dealing with others,
- poor relationships with peers,
- inability to make friends,
- anxiety,
- passivity,
- submissiveness,
- lack of ability to defend oneself in violent situations,
- tearfulness, low self-esteem,
- negative attitudes towards the use of violence,
- weakness or low physical fitness (as far as boys are concerned)."[47]

In turn, I. Tyrna-Łoj explained that aggression is very often focused on so-called "misfits." These are children who have speech problems – people who stutter, are visually impaired, hearing impaired, short in stature, slim or obese, and dressed differently.[48]

It is also worth noting the research that the aforementioned G. Miłkowska-Olejniczak conducted on teachers' actions, which consist of sources of aggression. According to her, these include: "favouring certain pupils, underestimating the work put in by pupils, unfairly assessing the results of school work, using physical punishment against pupils."[49] In contrast, peer behaviours that

[45] G. Miłkowska-Olejniczak, *Przejawy i przyczyny agresywnych zachowań młodzieży*, „Problemy Opiekuńczo-Wychowawcze" 1999, no. 10, pp. 163–164.

[46] See M. Karkowska, W. Czarnecka, *Przemoc w szkole*, Oficyna Wydawnicza „Impuls", Kraków 1993.

[47] J. Węgrzynowska, *Dzieci doświadczające przemocy rówieśniczej*, Stowarzyszenie Bliżej Dziecka, Warszawa 2016, p. 11.

[48] M. Stachowicz-Piotrowska, *Agresja w szkole*…, op. cit.; J. Węgrzynowska, *Dzieci doświadczające przemocy*…, op. cit., pp. 12–13.

[49] G. Miłkowska-Olejniczak, *Przejawy i przyczyny*…, op. cit., pp. 163–164.

cause aggression are: "servility (overzealousness) towards teachers, blowing cigarette smoke in the face, silly jokes (sticking something on the back, hiding things such as a backpack or jacket), pushing in the corridor both intentional and unintentional."[50] Furthermore, the author lists among the statements made by teachers: "statements whose content violates the dignity of students (humiliation, hurting feelings, showing contempt), calling students names, using offensive words, mocking, making fun of students' appearance or school achievements, ironic, demeaning and even vulgar instructions,"[51] and among the statements of peers: "name-calling, sniping at students' behaviour, sucking up to teachers manifested in nodding off." Teachers in the cited surveys experienced such forms of violence from students as: "writing insults on the bench, mouthing off, giving the teacher an unfavourable opinion, jerking the chair, dreams of causing physical harm to the teacher, arrogant, uncultured responses in response to annoying teacher instructions."[52]

A separate problem is parents' lack of awareness of the plight of children who are victims of aggression. Barbara Coloroso lists the reasons that influence them to keep silent instead of telling what happened to them. Children do not inform their parents and teachers about their situation because:

- "they are ashamed of being bullied,
- they are afraid of the perpetrators' revenge, of their situation getting worse,
- they think that no one can help them, they feel helpless,
- they don't believe anyone can help them,
- adults have told them that bullying is part of adolescence,
- they are afraid that adults will disregard, their problem,
- they learned at school that 'reporting' on peers is not okay."[53]

With this in mind, a parent should be vigilant and know which symptoms in a child's behaviour to pay attention to. In 2008, a study was conducted by A. M. O'Moore, in which she explained how to notice changes in a child:

- "the child looks nervous and anxious and refuses to answer questions about what is going on,
- cuts and bruises of unknown origin,
- damage to clothes, books, school supplies,
- deterioration in academic performance,

[50] Ibidem.
[51] Ibidem.
[52] Ibidem.
[53] J. Węgrzynowska, *Dzieci doświadczające przemocy*…, p. 13.

- requests for extra money,
- missing personal belongings, lunch passes,
- reluctance to go to school or intensification of this reluctance,
- an increase in late arrivals at school,
- changes in mood and behaviour, prolonged depressed mood,
- a lack of self-confidence and lowered self-esteem, a sudden drop in self-esteem,
- complaints of headaches and stomach aches, illnesses,
- sleep problems,
- lack of contact with peers outside of school."[54]

In addition, in 1993, after conducting a study, Dan Olweus listed some other signals that should worry teachers:

- "difficulty speaking in the classroom forum,
- withdrawal from activities, stuttering, loss of self-confidence,
- dropping out of class events and trips,
- spending breaks alone, not being allowed to join a group,
- spending breaks near an adult,
- lack of a good friend in the class,
- being picked last for a sports team,
- visible sadness and depression, tendency to cry,
- deterioration in academic performance."[55]

The vast majority of the determinants of aggression among minors described above, as well as signals that minors are victims of aggression, may determine the phenomenon of cyberbullying. Difficult family situations, as well as the lack of proper parental control over children can undoubtedly foster this, as they may find in the anonymous network an outlet for their personal problems, as well as encounter content that will lead to or deepen their demoralization.[56] Of similar importance are the school environment and relationships with peers. Problems occurring in these environments can gain an electronic dimension, as increasingly everyday interactions with peers move to the Internet, where children and adolescents use the same instant messaging, social media or services. This promotes the transfer of more traditional tensions and problems into the cyber dimension. Finally, it should be noted that most of the described signals

[54] Ibidem, p. 14.

[55] Ibidem.

[56] See Fundacja Dajemy Dzieciom Siłę, *Chroń dziecko w sieci*, http://www.dzieckowsieci.pl/, (accessed 08.11.2018).

of being a victim of aggression, not counting those purely physical ones such as bruises, can equally well indicate that a minor has been a victim of cyber-bullying.

Internet as a new environment of aggressive behaviour among children and adolescents

In addition to the traditional sources of cyber-violence discussed above, arising from the phenomenon of aggression among children and adolescents themselves, however, there remain causes specific only to the virtual space. There is no doubt that the very nature of Internet communication, the increasing ubiquity of minors' access to information and communication technologies, as well as the content of the network, have a major impact on the scale and nature of this problem.

First of all, it is important to note the growing percentage of children using the Internet on a regular basis. According to a CBOS survey, in 2004 only about 58% of underage household members used this medium. However, by 2015, it was 86%. Among children aged 6–12 it is as high as 81%. More understandably, 95% of young people aged 13–15 and 94% of those between 16 and 19 use the global network. On average, they spend about 15 hours online per week, with only 10% spending less than 2 hours. It is worth noting that as many as 33% of parents are afraid of their children's exposure to harmful content online. 58% are also afraid of the possibility of making unwanted contacts, giving rise, for example, to paedophilic threats.[57] The data clearly suggests that children, including the youngest, are increasingly using the Internet, and that their parents do not have full control over their behaviour. The problem is further exacerbated by the popularization of smartphones, which allow users to access the web from outside the family home (e.g., from school), making it even more difficult to have any oversight of online activities. According to 2017 statistics, as many as 80% of children aged 7–8 have their own smartphone. In addition, as many as 35% of 6–9 year olds actively use social media, including Facebook (25%).[58]

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[57] M. Feliksiak, *Dzieci i młodzież w Internecie – korzystanie i zagrożenia z perspektywy opiekunów*, „Komunikat z Badań CBOS" 2015, no. 110.

[58] M. Sewastianowicz, *80 proc. dzieci w wieku 7-8 lat ma własny smartfon. Korzystają z niego średnio 2,5 godziny dziennie*, Prawo.pl, https://biznes.newseria.pl/news/80-proc-dzieci-w-wieku,p1003907867, (accessed 29.10.2018).

Young people are increasingly becoming hostage to computers and the Internet. Undoubtedly, one can speak here of a kind of addiction to the computer, but most of all to the Internet. Increasingly, this addiction is included in the category of pathology and placed next to addiction to, for example, alcohol, which qualifies for drug treatment.[59] As early as the 1990s, psychiatrists drew attention to the above phenomenon, but it was not until the 21st century that it was reported that web addiction occurs in more than 5% of all users, or about 40 million people. This disease manifests itself in the use of the Internet for many hours (up to 70 hours).[60] Between 2006 and 2008, studies – linked to hours of online gaming – were conducted in Asia (South Korea, Taiwan) in the 6–19 age group, which showed serious health disorders, including myocardial infarctions and increased crime rates. In China, meanwhile, as many as 15%, or more than 11 million young people, are diagnosed as suffering from IAD (Internet Addiction Disorder). As a result of the above studies, in 2007, the authorities introduced legal restrictions regulating that only 3 hours a day can be spent on computer games.[61] In Europe, one in 10 citizens is addicted to the Internet. Meanwhile, according to a 2016 study by the Supreme Audit Office, nearly 100,000 people in Poland are addicted to the Internet, and 750,000 are at risk of addiction. Moreover, according to another study commissioned by the Children's Ombudsman in 2014, teenagers spend 3 hours and 40 minutes online, and more than 40% of them are online all the time.[62]

Considering the range of influences they may encounter in the electronic environment, the trends indicated above may raise serious concerns. After all, the global network is a place where a child can encounter not only the aforementioned paedophilic threats, but also content that can seriously disrupt the process of their upbringing and socialization. The first research that was conducted in Poland on children's contacts with dangerous content on the Internet took place in 2006, and showed the already large scale of children's contacts with potentially harmful content. As many as 71% of Internet users aged 12–17 declared at least one contact with pornography or erotica online, 51% – with violent scenes, 28% –

[59] M. Przybysz-Zaręba, *Uzależnienie młodzieży od współczesnych mediów*, Oficyna Wydawnicza „Prospekt", Olsztyn 2008, p. 8.

[60] M. Filip, *Nowe uzależnienia XXI w.*, „Pismo Polskiego Towarzystwa Przyrodników im. Kopernika" 2013, vol. 114, p. 5.

[61] Ibidem.

[62] A. Smolińska, *Co 10 nastolatek uzależniony od Internetu*, Polityka Zdrowotna, http://www.politykazdrowotna.com/15209,co-10-nastolatek-uzalezniony-od-internetu, (accessed 20.10.2018).

with materials promoting violence and intolerance. It should be emphasized, however, that the vast majority declared casual contact with these materials – 63%, 61% and 74% respectively.[63] In addition, it should be noted that, according to research conducted by the Institute for Integrated Prevention in 2017, 62% of boys and 21% of girls in middle school have viewed pornographic content. It should be emphasized that almost half (43%) of them did this on smartphones.[64]

Also noteworthy is the 2022 Report "Online Etat 3.0: Mental Health of Polish Teens in Remote Learning." According to the study, conducted in 2021, during the COVID-19 pandemic, teens spent an average of 12 hours and 31 minutes online, consisting of 7 hours and 41 minutes studying and 4 hours and 50 minutes in leisure time. Also, the report indicated that on weekends, young people are online for as much as 6 hours and 10 minutes.[65]

It should be noted that linguistic aggression and the propagation of negative patterns can be encountered in those places that are most popular on the Internet. This includes computer (online) games, the aforementioned social media, as well as streaming sites and YouTube. Associated with the latter is the availability of so-called "patostreams," which are increasingly popular in Poland, promoting pathological behaviour, including foul language, use of psychoactive drugs, drunkenness or aggression.[66]

To be able to understand this phenomenon, it is necessary to explain what patostreams actually are. It is "a word formed from the combination of the words pathology and stream and describes: vulgar, obscene and violent Internet shows broadcast live on streaming services, e.g. youtube, twitch. A person

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[63] Ł. Wojtasik, *Rodzice wobec zagrożeń dzieci w Internecie*, Fundacja Dzieci Niczyje, https://dzieckokrzywdzone.fdds.pl/index.php/DK/article/view/725/579, (accessed 24.10.2018).

[64] *Twoje dziecko też to robi. Statystyki dotyczące oglądania pornografii są przerażające*, Do Rzeczy, https://dorzeczy.pl/kultura/50373/Twoje-dziecko-tez-to-robi-Statystyki-dotyczace-ogladania-pornografii-sa-przerazajace.html, (accessed 24.10.2018).

[65] B. Białecka, *Raport 2022. Etat w sieci 3.0. Zdrowie psychiczne polskich nastolatków w nauce zdalnej*, Fundacja Edukacji Zdrowotnej i Psychoterapii, http://rodzice.co/raport-2022-etat-w-sieci-3-0-zdrowie-psychiczne-nastolatkow-po-nauce-zdalnej/, (accessed 13.09.2023).

[66] Heuristic, *Cyberprzemoc, czyli agresja w Internecie – skąd się bierze*, https://www.heuristic.pl/blog/internet/Cyber-przemoc-czyli-agresja-w-Internecie-skad-sie-bierze;211.html, (accessed 05.11.2018); See *Patologia na żywo, czyli świat patostreamerów*, Uwaga, https://uwaga.tvn.pl/uwaga-po-uwadze,2680,n/patologia-na-zywo-czyli-swiat-patostreamerow,273874.html, (accessed 04.11.2018); *Patostreamy*, in: Miejski.pl. Miejski Słownik Slangu i Mowy potocznej, https://www.miejski.pl/slowo-Patostreamy, (accessed 05.11.2018).

who creates this type of entertainment is called a patostreamer."[67] More specifically, it is "showing violence and vulgar content, sometimes in violation of the law, in order to make viewers who watch this over the Internet pay the broadcaster. In Poland, the phenomenon has been growing in recent years in a way unknown in other countries. These are vulgar, degrading materials, often full of physical and verbal violence, not infrequently recorded under the influence of alcohol or other drugs with disregard for the law and the rules of social intercourse. They have a large audience, and their broadcasters make money from it. They also get money for doing something abhorrent or cruel: it can be abuse of a loved one, beating or humiliation."[68] Although many Internet users speak negatively about patostreams, there are still those who subscribe to their "activities." As psychologist Maria Rotkiel explained it, people have always enjoyed watching stupidity, evil, violence or weirdness.[69] On 18 October 2018, the Ombudsman held a roundtable on the phenomenon of patostreaming at his Office in Warsaw. The topic of the meeting was how to deal with patostreaming, which was attended by lawyers, academics, representatives of authorities, NGOs, technology companies, as well as youtubers and journalists.[70] During the meeting, numerous demands were made to reduce the phenomenon of pathostreaming itself and its harmful social and educational effects.[71]

In April 2023, the government once again announced a crackdown on patostreaming. A draft amendment to the Criminal Code concerning the criminalization of the above phenomenon was submitted to the previous parliamentary term, in which Article 225b is to be added. This provision defines patostreaming as the dissemination of content depicting the commission of a criminal act (harmful content) or its pretence depicting the act as actually committed. Dissemination

[67] Ibidem.

[68] Rzecznik Praw Obywatelskich, *O patostreamingu – prawnicy, naukowcy, przedstawiciele władz, organizacji pozarządowych i firm technologicznych, youtuberzy i dziennikarze*, Biuletyn Informacji Publicznej RPO, https://www.rpo.gov.pl/pl/content/o-patostreamingu-prawnicy-naukowcy-przedstawiciele-w%C5%82adz-organizacji-pozarz%C4%85dowych-i-firm, (accessed 04.11.2018).

[69] *Patostreamy – co to jest? Wulgarne treści, poniżanie i głupota na YouTube*, Radio Eska, https://www.eska.pl/news/patostreamy-co-to-jest-wulgarne-tresci-ponizanie-i-glupota-na-youtube-aa-9c9d-5JRV-qhZz.html, (accessed 04.11.2018).

[70] *O patostreamingu*…, op. cit.

[71] See Ł. Wojtasik, *Patotreści w Internecie. Raport o problemie*, Fundacja Dajemy Dzieciom Siłę, Warszawa 2019, https://bip.brpo.gov.pl/sites/default/files/Raport%20z%20bada%C5%84%20nastolatk%C3%B3w%20nt.%20patotre%C5%9Bci.pdf, (accessed 31.01.2024).

is to consist of transmitting video or audio (e.g., livestreaming) or making available a recording of the video or audio via an ICT network (primarily the Internet). The provision is divided into three groups. The first relates to an intentional crime against life or health, freedom, sexual freedom, morality, family and guardianship, or committed with violence. It is to be punishable by imprisonment of at least five years. The second group concerns the abuse or killing of an animal. The last group constitutes violation of bodily integrity, in a manner leading to humiliation or indignity of another person, and is to be punishable by imprisonment from 6 months to 8 years. On the other hand, in the case of acting for or with the purpose of gaining a pecuniary or personal benefit, the penalty of imprisonment can be from one to 10 years. It is worth adding that, according to the provision of §4 of the article in question, persons who acted to defend the public interest or a deserving private interest will not be liable for patostreaming. However, they cannot be perpetrators of the crime of patostreaming, instigators or assistants. Unfortunately, the currently discussed provision has not been added to the Criminal Code, and as of 1 June 2023, it is at the stage of first reading at the session of the Diet.[72]

Contact with the pathological content discussed above and lack of proper parental control on the Internet are not enough. The network itself additionally provides anonymity and thus enables perpetrators to do much more than outside the virtual world. Such activities occur mainly through email, chat rooms, instant messaging, websites, blogs, social networking sites, newsgroups, SMS and MMS services.[73]

In conclusion, frequent contact with aggression, vulgarization of the language used, anonymity and lack of sanctions on the Internet are certainly factors that encourage behaviour that has the characteristics of cyberbullying. At the same time, it should be remembered that the world of the Internet, while carrying an incredible number of risks, also generates many benefits. Among them are helping children with socialization, education, as well as entertainment.[74]

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[72] *Poselski projekt ustawy o zmianie ustawy – Kodeks karny*, Druk nr 3310, Sejm Rzeczypospolitej Polskiej, https://www.sejm.gov.pl/sejm9.nsf/druk.xsp?nr=3310, (accessed 31.01.2024).

[73] W. Szczepaniak, *Cyberprzemoc: jak uchronić przed nią dzieci*, Serwis Zdrowie, https://zdrowie.pap.pl/psyche/cyberprzemoc-jak-uchronic-przed-nia-swoje-dzieci, (accessed 22.10.2018); J. Rokicka, *Cyberprzemoc – koszmar naszych dzieci*, Gazeta.pl, http://www.edziecko.pl/rodzice/1,79361,11063144,Cyberprzemoc___koszmar_naszych_dzieci.html, (accessed 22.10.2018).

[74] J. Izdebska, *Dziecko w świecie mediów elektronicznych. Teoria, badania, edukacja medialna*, Trans Humana Wydawnictwo Uniwersyteckie, Białystok 2007, p. 132.

The scale of cyberbullying among young people on the Polish Internet

Adolescent bullying is nothing new, as such situations have been occurring for centuries. However, thanks to new technologies, it has taken on previously unprecedented forms and scale.[75] The attacker has an easier task, since by spreading information about others through new media they can potentially reach a larger group of people, and furthermore cause many more problems for the victim. Not surprisingly, cyberbullying is now a problem in virtually all technologically developed countries of the world. Many European countries are struggling with this phenomenon. It is particularly evident in countries such as Sweden, Estonia, Lithuania, Austria, the Czech Republic, Slovenia, France, Belgium, Romania and Bulgaria.[76]

Against this background, the situation in Poland is in line with global trends. In characterizing the phenomenon of Internet violence occurring among Polish minors, it is worth presenting statistics from a study conducted by the Nobody's Children Foundation and the Scientific and Academic Computer Network. According to them, as many as 51% of children and adolescents have become, at least once, the object of photos or videos taken against their will, 52% of children aged 12–17 have had to deal with verbal violence on the Internet or via cell phone, 47% of children have experienced vulgar name-calling, 29% of respondents declare that someone online has claimed to be them without their consent.[77] According to other surveys, almost one in four children (21%) have experienced ridicule and humiliation, 16% have experienced threats and blackmail, 14% of children report dissemination of embarrassing material via the Internet or cell phones.[78] Also, the results of a 2017 survey conducted by the Supreme Audit Office (among 271 teachers, 814 parents, 737 students) indicate that cyberbullying is a significant phenomenon among students, with 39.5% of them having been affected by cyberbullying, with 28.8% of parents and 45.4% of teachers also being victims.[79]

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[75] See A. Czesławiak, *Agresja elektroniczna i cyberbullying*…, op. cit., p. 9.

[76] Najwyższa Izba Kontroli, *NIK o cyberprzemocy wśród dzieci i młodzieży*, https://www.nik.gov.pl/aktualnosci/nik-o-cyberprzemocy-wsrod-dzieci-i-mlodziezy.html, (accessed 26.07.2018).

[77] J. Wujkowski, *Zagrożenia dla dzieci i młodzieży w cyberprzestrzeni*…, op. cit.

[78] Ibidem.

[79] Najwyższa Izba Kontroli, *NIK o cyberprzemocy*…, op. cit.

At the same time, it should be noted that most situations involving cyberbullying are not disclosed. This is largely influenced by the aforementioned fact that not all caregivers are aware of exactly what their charges are doing online. According to statistics published by the Public Opinion Research Centre in 2015, 85% of caregivers know what their children (adolescents) are doing online, with 44% knowing very well, while as many as 41% know only moderately. 10% know little about how their children use the web and 5% have no knowledge at all in this regard.[80] The problem of insufficient detection of acts of electronic aggression is indicated by the 2017 NIK study cited above. Indeed, nearly half of the students surveyed said that they would not disclose the fact of experiencing cyberbullying to anyone. Only slightly more than 13% of students would tell their teachers about their problem and 19% would tell their parents.[81] In December 2016, a similar survey was conducted by the Scientific and Academic Computer Network. It showed that 39% of students would not ask an adult for help and only 3% would turn to teachers with their problem.[82] This is not a very optimistic trend, the consequence of which is that a young person, without informing anyone about their problem, is left completely alone with it. This, in turn, can lead to the build-up of negative consequences, mainly of a psychological nature.

Analysing the data cited above, several conclusions can be drawn. First of all, cyberbullying is a common phenomenon in Poland, especially at the stage of school education. Children and adolescents encounter acts of aggression on the Internet very often, although the full scale of this problem is not known. Minors are rather reluctant to inform their guardians and teachers, who, significantly, can also fall victim to cyberbullying. The still low awareness of the nature of the problem and the lack of precise knowledge among parents about what their children do while using the Internet also play their part.

Legal regulations in Poland against the phenomenon of cyberbullying among children and adolescents

Young people who commit such crimes often do not realize that they are not only hurting and harming their victim, but also breaking the law. Such dissemination

[80] M. Feliksiak, *Dzieci i młodzież w Internecie*…, op. cit.

[81] Najwyższa Izba Kontroli, *NIK o cyberprzemocy*…, op. cit.

[82] *Cyberprzemoc. Zatrważające statystyki*, Niezależna, http://niezalezna.pl/202843-cyber przemoc-zatrwazajace-statystyki, (accessed 26.07.2018).

of a person's hurtful image is subject to criminal liability under Article 212 of the Penal Code, which speaks of defamation, or under Article 216 of the Penal Code (insult).[83] The aggrieved party can pursue his or her rights through civil as well as criminal means. With criminal protection in mind, it is important to clarify that insult and defamation are private criminal offences. This means that the victim or their legal representative must file a private indictment. In addition, in such a situation it must be known exactly who the offender is and have evidence incriminating them. Such evidence can be, among other things, recordings posted on the Internet, in addition, the testimony of witnesses who saw or heard the circumstances of the recording of the crime itself. It should be noted that if the crime is committed by a person under the age of 17 then such a case is handled by the family and juvenile court. On the other hand, if the act bears the hallmarks of an image violation under Articles 23 and 24 of the Civil Code, the case is referred to civil proceedings, i.e. claims for damages.[84] It should be clarified that if the case involves minors under the age of 18, all legal actions are carried out by parents or legal guardians. In a situation where we are dealing with a perpetrator who is a schoolmate/colleague, the parents should immediately notify the authorities of the unit for prosecution in accordance with internal regulations. Minors who commit criminal acts are subject to the Law on the Support and Rehabilitation of Minors.[85] According to the aforementioned law, they may be subject to educational measures or a corrective measure in the form of placing the minor in a correctional facility. In addition, bearing in mind Article 18 of the aforementioned law, the family court may also oblige the parents or guardian of the minor to improve the minor's educational, living or health conditions, as well as to cooperate closely with the school the minor attends, with the psychological and pedagogical counselling centre, including, if necessary, to perform an appropriate diagnosis of the minor, and with the entity that performs therapeutic activities. Another situation where a parent or guardian may be held responsible for their child is if they evade the duties imposed on them by the family court, the court may impose a fine of PLN 3,000 on them.[86]

[83] Penal Code Act of 6 June 1997, Dz.U. (Jornal of Laws) 1997, No. 88 item. 553, as amended.
[84] Civil Code Act of 23 April 1964, Dz.U. (Journal of Laws) 1964, No. 16, item 93, as amended.
[85] Announcement of the Speaker of the Sejm of the Republic of Poland of 13 April 2018 on the announcement of the unified text of the Law on Juvenile Matters Proceedings, Dz.U. (Journal of Laws) 2018, item 969.
[86] Ibidem.

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Summary

With the development of the technological revolution, manifested by the increasing use of online communication by children and adolescents, the scale of cyberbullying is bound to increase. This is undoubtedly a multidimensional phenomenon, the roots of which are to be found not only in the online sphere, but also in the traditional conditions of pathological behaviour of minors. The growing scale of cyberbullying is also helped by the popularization of harmful content on the Internet, such as the extremely popular "patostreams," which promote harmful behaviour patterns among children and adolescents. It should be noted that awareness of this problem is currently low. The public has only in recent months, mainly due to Internet users, paid wider attention to some aspects of the issue.[87] There is also a lack of understanding, especially among guardians, that proper control of how minors use the Internet could significantly reduce both the causes and consequences of cyberbullying.

The effects of online aggression are often difficult to grasp. Name-calling, threats and bullying on the Internet can have a major impact on the psychological development of children who actively engage in cyberspace. They can manifest themselves in disrupted interpersonal relationships, deterioration of academic performance, depression and, in extreme cases, suicide. It is worth noting that a lack of response can result in the transformation of cyberbullying into other forms of juvenile crime in the virtual space.

[87] See *Rodzice z TikToka z zarzutami. Ojciec przyduszał dziecko, matka nie reagowała*, Radio ZET, https://wiadomosci.radiozet.pl/polska/dabrowa-gornicza-rodzice-z-tiktoka-z-zarzutami-ojciec-przyduszal-dziecko, (accessed 31.01.2024); *Głupie pomysły i wulgarne treści. Patostreamy docierają do dzieci*, TVN24, https://www.tvn24.pl/wiadomosci-z-kraju,3/patostreamy-coraz-popularniejsze-jak-uchronic-najmlodszych,827210.html, (accessed 27.10.2018).

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ANALYSIS OF THE SAFETY OF ELECTRIC VEHICLES

ANALIZA BEZPIECZEŃSTWA POJAZDÓW ELEKTRYCZNYCH

Abstract: The rise of electric vehicles (EVs)[1] has ushered in a new era of transportation, bringing with it a host of innovations and challenges. This comprehensive article aims to delve into the intricate landscape of electric vehicle safety, dedicating in-depth analysis to various concerns while spotlighting cutting-edge solutions. Through an exploration of battery safety,[2] crash standards,[3] charging infrastructure,[4] human factors,[5] fire safety,[6] regulations, case studies[7] and future trends, this article

[1] **Electric Vehicles (EVs):** Refers to vehicles powered by electricity instead of traditional internal combustion engines.

[2] **Battery Safety:** Pertains to the safety measures and technologies related to lithium-ion batteries used in electric vehicles. This includes thermal management systems and advances in battery safety protocols.

[3] **Crash Safety:** Refers to the measures and design considerations to ensure the safety of occupants in the event of a collision involving electric vehicles.

[4] **Charging Infrastructure:** The network of stations and systems required to charge electric vehicles, including safety measures for these facilities.

[5] **Human Factors:** The study of how drivers interact with electric vehicles and how their behaviour affects safety.

[6] **Fire Safety:** Concerns related to preventing and managing fires in electric vehicles, particularly those originating from battery malfunctions.

[7] **Case Studies:** Examples and analyses of real-world incidents and developments related to electric vehicle safety.

offers a 360-degree view of the safety implications and advancements in the electric vehicle industry.

Zarys treści: Rozwój pojazdów elektrycznych (EV) zapoczątkował nową erę transportu i przyniósł ze sobą szereg innowacji i wyzwań. Ten obszerny artykuł ma na celu zagłębienie się w skomplikowany krajobraz bezpieczeństwa pojazdów elektrycznych. Autor dokonuje dogłębnej analizy różnych obaw i jednocześnie zwraca uwagę na najnowocześniejsze rozwiązania. Bada bezpieczeństwo akumulatorów, normy zderzeniowe, infrastrukturę ładowania, czynniki ludzkie, bezpieczeństwo pożarowe, przepisy, studia przypadków i przyszłe trendy. Dzięki temu artykuł zawiera wieloaspektowy obraz bezpieczeństwa pojazdów elektrycznych.

Keywords: electric vehicle, battery safety, crash safety.

Słowa kluczowe: pojazd elektryczny, bezpieczeństwo akumulatora, bezpieczeństwo w razie wypadku.

Introduction

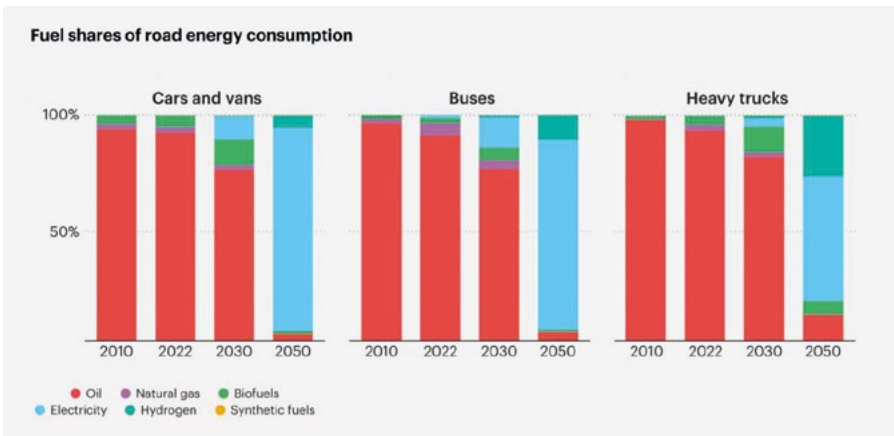
The transportation sector is undergoing a major transformation as electric vehicles (EVs) gain traction. With an increasing emphasis on environmental sustainability[8] and energy efficiency, governments, industries and consumers are recognizing the potential for cleaner and more efficient mobility. However, amid this exciting shift towards electrification, it is essential to address the safety aspects associated with this technological revolution. This introduction sets the stage for a comprehensive examination of the safety issues and innovative solutions shaping the present and future of electric vehicle safety. As EVs become more integrated into our daily lives understanding these issues and the proactive measures being implemented is crucial. This knowledge is vital for charting a safe and sustainable course in the burgeoning field of electric mobility.

The global automotive industry is at a pivotal point, moving towards a future characterized by sustainability and environmental consciousness. With growing

[8] **Sustainability:** The environmental benefits of electric vehicles, including reduced carbon emissions and improved energy efficiency.

awareness of climate change and a collective commitment to reducing carbon emissions, electric vehicles (EVs) have emerged as catalysts for innovation and positive change. As the automotive landscape undergoes significant transformations, understanding the historical context is crucial for unravelling the challenges we[9] face and appreciating the remarkable milestones achieved. This study provides the foundation for understanding the driving forces behind the global shift to electric mobility, from the creation of the first electric wheelchair in the 19th century to the mass production of advanced electric vehicles today.

Image 1. Fuel shares of road energy consumption



Source: The International Energy Agency, *Global EV Outlook 2023, Trends in Electric Light-Duty Vehicles*, https://www.iea.org/reports/road-transport, (accessed 20.01.2023).

Electric car sales reached another record high in 2022, despite challenges such as supply chain disruptions, macroeconomic and geopolitical uncertainties and high commodity and energy prices. This growth occurred against the backdrop of a globally contracting car market, where total car sales in 2022 decreased by 3% compared to 2021. Sales of electric cars, including battery electric vehicles (BEVs) and plug-in hybrid electric vehicles (PHEVs), surpassed 10 million last year, marking a 55% increase from 2021. This figure of 10 million EV sales worldwide surpasses the total number of cars sold across the entire European Union (approximately 9.5 million vehicles) and represents nearly half of the total number of cars sold in China in 2022. In just five years, from 2017 to 2022, EV

[9] '**We**' refers to automotive manufacturers as a collective group of industry specialists. Being part of the automotive industry, the researcher gains insights from different brands and summarizes the overall status of the industry. Knowledge and information gathered based on the work experience and interaction with other specialists.

sales skyrocketed from around 1 million to over 10 million. Previously it took five years, from 2012 to 2017, for EV sales to grow from 100,000 to 1 million, highlighting the exponential growth of EV sales. The share of electric cars in total car sales increased from 9% in 2021 to 14% in 2022, more than ten times their share in 2017.[10]

Battery Safety

Electric vehicles derive their revolutionary efficiency and power from the vital core of lithium-ion batteries.[11] Delving into the core of battery technology, we unravel the complexities of lithium-ion batteries by scrutinizing their composition, functionality and inherent performance issues.

The key role of thermal management systems[12] in reducing the risks associated with overheating, a major safety concern for electric vehicles, becomes the focus. In addition, recent advances in battery safety protocols highlight the ongoing research and development aimed at improving the resilience of electric vehicle power supplies.

As we tackle the complex challenge of electric vehicle battery safety, a nuanced understanding emerges, laying the foundation for comprehensive strategies and innovative solutions in the relentless pursuit of safer electric mobility.[13]

Battery Technology Overview

At the heart of the electric vehicle revolution is the technological marvel that is the lithium-ion battery. Understanding the intricacies of these energy storage devices is essential to understanding both the strengths and challenges of electric vehicle (EV) technology. Li-ion batteries, with their high energy density and efficiency, have become the backbone of electric vehicles, providing them with unprecedented levels of performance. By unravelling the complexity of lithium-ion batteries, we will gain

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[10] The International Energy Agency, *Trends in Electric Light-Duty Vehicles – Global EV Outlook 2023 – Analysis*, https://www.iea.org/reports/global-ev-outlook-2023/trends-in-electric-light-duty-vehicles, (accessed 20.01.2023).

[11] **Lithium-Ion Batteries:** The primary type of battery used in electric vehicles, known for their high energy density and efficiency.

[12] **Thermal Management Systems:** Systems designed to manage the temperature of EV batteries to prevent overheating and improve safety.

[13] The International Energy Agency, *Global EV Outlook 2023. Trends in Electric Light-Duty Vehicles*, https://www.iea.org/reports/road-transport, (accessed 20.01.2023).

a clearer understanding of their role in powering electric vehicle propulsion systems and the subsequent safety implications. As the automotive landscape embraces electrification, a fundamental understanding of battery technology is imperative to address safety concerns and facilitate continued progress in this key aspect of electric vehicle development.

Thermal Management Systems

In the dynamic world of electric vehicle batteries, thermal management systems protect against the risks associated with overheating and failure. As electric vehicles push the limits of performance, the demand for batteries is increasing, making effective thermal management mandatory. By preventing overheating, these systems not only improve the safety of the electric vehicle, but also contribute to the longevity and reliability of the battery itself. We explore the mechanisms and technologies used to monitor and regulate temperature, striking a delicate balance between optimal performance and safety. Advances in thermal management systems underscore the industry's commitment to improving the safety of electric vehicles, paving the way for increased reliability and widespread adoption of this revolutionary mode of transportation.

Advancements in Battery Safety

As the electric vehicle landscape continues to evolve, so do advances in battery safety protocols. Manufacturers are at the forefront of addressing battery safety issues, from the use of innovative materials to the introduction of advanced safety features. We examine current research and development initiatives aimed at improving the thermal stability, durability and overall safety of lithium-ion batteries. In addition, integration of smart technologies allow us to monitor battery health in real time and take proactive measures to prevent potential problems. By highlighting these achievements, we recognize the industry's commitment to not only meeting but exceeding safety standards,[14] creating a safe and reliable foundation for the widespread adoption of electric vehicles.

[14] **Safety Standards:** The regulatory requirements and guidelines that electric vehicles must meet to ensure safety.

Crash Safety

Beyond the realm of efficient propulsion lies a critical facet of electric vehicle design – crash safety. The evolution of electric vehicles necessitates a reimagining of structural design, ensuring the safety of occupants in the event of a collision. We explore the innovative approaches taken by manufacturers to fortify the structural integrity of electric vehicles, employing advanced materials and engineering techniques. From enhanced occupant protection measures[15] to the integration of cutting-edge safety technologies, electric vehicles are rewriting the script on crash safety, setting a new standard for secure and responsible transportation in the electrified era.

Structural Design Innovations

The electrification of transportation necessitates a paradigm shift in structural design to meet the rigorous demands of crash safety. Electric vehicles, with their unique components and power-train systems, demand innovative approaches to structural engineering. Advanced materials such as high-strength alloys and carbon fibre composites are increasingly integrated to enhance both strength and weight distribution. These structural design innovations not only contribute to crash safety but also play a pivotal role in optimizing the overall performance and efficiency of electric vehicles.

One of the major differences between the traditional combustion engine powered vehicle and electric vehicles is upstream of the power-train, which includes the engine and gearbox in front of the vehicle and which might penetrate the vehicles interior in case of a frontal collision. Electric vehicles are significantly safer in this case as the energy gets absorbed by the whole structure of the frame.

By examining these engineering advancements, we gain insights into the dynamic landscape of electric vehicle design, where safety and performance are intricately interwoven for a holistic and secure driving experience.

[15] **Occupant Protection Measures:** Safety features designed to protect passengers in the event of an accident, including airbags and reinforced cabin structures.

Advanced Crash Testing Protocols

Ensuring the crashworthiness of electric vehicles involves subjecting them to rigorous and meticulous crash testing protocols. Advanced crash testing involves simulating a range of collision scenarios to evaluate the structural integrity, impact resistance and overall safety features of electric vehicles. Manufacturers leverage sophisticated testing facilities and simulation technologies to replicate real-world crash scenarios, ensuring that electric vehicles not only meet but surpass conventional safety standards. The integration of advanced crash testing protocols stands as a testament to the commitment of the electric vehicle industry to prioritize occupant safety, providing consumers with vehicles that are not only environmentally friendly but also engineered to withstand and mitigate the impact of collisions.

Occupant Protection Measures

In the pursuit of comprehensive safety, electric vehicle manufacturers prioritize advanced occupant protection measures. Electric vehicles often feature an array of cutting-edge safety systems, including adaptive airbag systems, pre-tensioning seatbelts and reinforced cabin structures designed to dissipate and absorb impact forces. Moreover, we explore the integration of state-of-the-art sensor technologies and artificial intelligence for real-time risk assessment, enabling rapid deployment of safety measures. By prioritizing occupant protection, electric vehicle manufacturers are not only meeting regulatory standards but also setting new benchmarks for passenger safety in the realm of automotive engineering. This commitment underscores the holistic approach taken to ensure that electric vehicles are not only environmentally conscious but also provide a secure and protective driving environment.

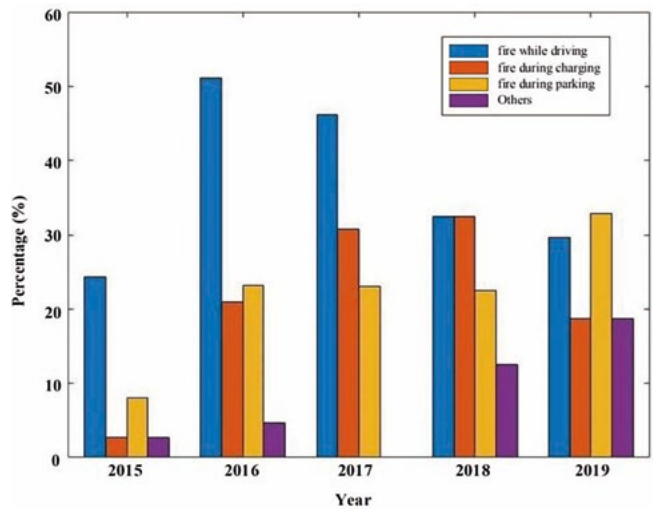
Fire Safety Concerns

As electric vehicles revolutionize the automotive landscape, a critical consideration arises in the form of fire safety. By dissecting the root causes of battery fires, such as thermal runaway events, we gain insights into the preventative measures and safety protocols implemented by manufacturers.

As lithium-ion batteries power electric vehicles, factors such as overcharging, overheating or external damage can trigger chain reactions that may culminate in a battery fire. By understanding the intricacies of these potential risks, manufacturers can implement targeted safety measures and protocols to prevent and manage such incidents, underscoring the commitment to prioritizing the safety of electric vehicle technology.

The statistics in Image 2 shows electric vehicle fires worldwide from 2015 to 2019. It suggests an increasing proportion of electric vehicle fires during the charging process. Multiple electric vehicle fires occur every year around the world, which sometimes cause casualties.

Image 2. Statistics of worldwide electric vehicle fire status from 2015 to 2019



Source: China Electric Power Research Institute, *Review of the Charging Safety and Charging Safety Protection of Electric Vehicles*, ResearchGate, https://www.researchgate.net/publication/355228230_Review_of_the_Charging_Safety_and_Charging_Safety_Protection_of_Electric_Vehicles, (accessed 20 January 2023).

Emergency response and firefighting procedures are paramount in mitigating the risks associated with electric vehicle fires. Additionally, advancements in fire suppression systems designed specifically for electric vehicles are discussed, emphasizing the industry's commitment to ensuring not only efficient energy storage but also robust safety mechanisms. By navigating the intricacies of fire safety concerns, the electric vehicle industry works towards fostering confidence in the safety of this transformative mode of transportation.

The electrification of transportation brings forth a complex tapestry of regulations aimed at ensuring the safety and standardization of electric vehicles on a global scale. Governments and international bodies collaborate to establish

comprehensive safety standards covering diverse aspects, including crash safety, battery technology and overall vehicle performance.

Examining the global regulatory framework sheds light on the shared objectives of nations to create a unified approach to electric vehicle safety. Harmonization efforts are crucial in fostering an environment where manufacturers can design vehicles that meet consistent safety criteria, promoting cross-border acceptance and facilitating the international growth of the electric vehicle market. By navigating through the nuances of these global regulations, we gain a deeper understanding of the concerted efforts to create a secure, standardized, and globally accepted foundation for the electrified future of transportation.[16]

Continuous Improvement in Safety Protocols

As electric vehicles proliferate, manufacturers face a myriad of challenges in ensuring compliance with evolving safety standards. Manufacturers navigate the intricacies of diverse safety standards set by different regions, each with its unique specifications and protocols.

The discussion unfolds to explore how the electric vehicle industry addresses compliance challenges through technological advancements, rigorous testing and collaboration with regulatory bodies. Initiatives to streamline compliance processes and foster a proactive approach to safety are crucial in overcoming hurdles presented by rapid technological advancements.

Considering complexity of the technology, government regulators in the EU have decided to establish the Joint Research Centre (JRC) which provides customer-driven scientific and technical support to the conception, development, implementation and monitoring of EU policies, alongside with the US Department of Energy's Argonne National Laboratory, to support automotive manufacturers and technology providers to market the vehicles across the continent.[17]

By understanding these compliance challenges and the proactive measures in place, we gain insights into the resilience and adaptability of the electric vehicle industry in navigating the complex terrain of global safety regulations. This ongoing dialogue between regulators and industry stakeholders is instrumental

[16] The International Energy Agency, *Global EV Outlook 2023*…, op. cit.

[17] K. Hardy, H. Scholz, *Transatlantic Technical Recommendations for Government Funded Implementation of Electric Vehicle Charging Infrastructure*, Publications Office of the European Union, Luxembourg 2023, p. 1.

in shaping a regulatory landscape that not only keeps pace with technological evolution but also sets the stage for safer and more standardized electric mobility.

Implications for the Future of Electric Vehicle Safety

The integration of artificial intelligence, advancements in sensor technologies and the evolution of connectivity all contribute to a paradigm shift in how safety is approached within the electric mobility landscape.

The anticipations extend to a future where vehicles, equipped with sophisticated AI-driven safety systems, become more than modes of transportation: they evolve into intelligent entities capable of learning, adapting, and proactively ensuring the safety of occupants and pedestrians alike. Vehicle-to-everything (V2X) communication, where vehicles exchange critical safety information in real-time, further solidifies the interconnected and secure future of electric mobility.

Moreover, the discussion encompasses the societal implications, foreseeing a landscape where electric vehicles not only reduce environmental impact but also redefine safety standards. The collaborative interplay of technology, regulations and consumer awareness is poised to shape a future where electric vehicles stand as beacons of sustainability and safety in the global transportation paradigm. As we peer into this future, it becomes evident that the ongoing pursuit of innovation is not only transforming how we drive but also redefining what safety means in the era of electric mobility.

Regulatory Landscape[18]

With the proliferation of electric vehicles, the development of a robust charging infrastructure is paramount for the seamless integration of this transformative technology. As electric vehicle ownership rises, charging stations become hubs of activity, demanding comprehensive safety measures to protect both users and the charging infrastructure itself.

The discussion extends to the importance of standardized electrical systems governing charging stations, guaranteeing compatibility and safety across

[18] **Regulatory Landscape:** The set of rules and standards governing the safety and operation of electric vehicles globally.

diverse networks. Cybersecurity[19] considerations are also explored, recognizing the vulnerability of interconnected charging systems to potential threats. By examining the safety protocols in place for charging infrastructure we gain insight into how the industry is evolving to meet the demands of a growing electric vehicle market while prioritizing the safety, efficiency and accessibility of charging networks.

The global surge in electric vehicle adoption has catalysed a transformative expansion of charging infrastructure worldwide. The global network of charging stations not only alleviates range anxiety for electric vehicle owners but also fosters the widespread adoption of electric mobility.

Exploring this expansion entails an examination of the challenges faced in scaling up charging infrastructure to meet the escalating demand. Factors such as location selection, power grid capacity and accessibility are critical considerations in optimizing the efficacy of charging networks. The overarching goal is to create a ubiquitous and user-friendly charging infrastructure that bolsters the convenience and appeal of electric vehicles. As we dissect the complexities of this global expansion, we gain insights into how the charging ecosystem is evolving to shape the future of electric vehicle accessibility and utilization on a global scale.[20]

Compliance Challenges and Solutions

As the electric vehicle charging infrastructure expands globally, adherence to stringent electrical standards becomes paramount in ensuring the safety and reliability of these charging stations. Rigorous compliance with these standards not only guarantees the safety of users and their vehicles during the charging process but also fosters interoperability across diverse charging networks.

In tandem with electrical standards, the discussion extends to the burgeoning importance of cybersecurity in the realm of electric vehicle charging. With charging stations becoming increasingly interconnected and reliant on digital

[19] **Cybersecurity:** Measures to protect the digital systems of electric vehicles and their charging infrastructure from cyber threats.

[20] Joint Research Centre of the European Commission, *EV Charging Infrastructure Rollout: EU-US Technical Recommendations Are Out*, https://joint-research-centre.ec.europa.eu/jrc-news-and-updates/ev-charging-infrastructure-rollout-eu-us-technical-recommendations-are-out-2023-05-31_en?prefLang=sv, (accessed 20.01.2023).

technologies, they become susceptible to potential cyber threats. Examining the cybersecurity measures implemented in charging infrastructure provides insights into the protective measures against unauthorized access, data breaches and other cybersecurity challenges. By scrutinizing both electrical standards and cybersecurity considerations, we gain a comprehensive understanding of how the industry is addressing the evolving safety landscape of electric vehicle charging infrastructure.[21]

Case Studies

In the dynamic realm of electric vehicles, safety is intrinsically linked to a comprehensive regulatory landscape that guides the development, production and operation of these innovative vehicles. From crash safety requirements to battery safety protocols, understanding the regulatory landscape is crucial for manufacturers, policymakers and consumers alike.

The discussion delves into the collaborative efforts between governments and industry bodies to establish and enforce these standards. Harmonizing safety regulations on a global scale ensures consistency in safety protocols and fosters cross-border acceptance of electric vehicles. By navigating the regulatory landscape, we gain insights into how safety standards are crafted, implemented and revised to address the dynamic nature of electric vehicle technologies. This understanding forms the bedrock for a secure and standardized approach to electric vehicle safety, promoting confidence among consumers and facilitating the sustainable growth of the electric vehicle industry.

Future Trends and Innovations[22]

As electric vehicles become an integral part of our transportation landscape, the horizon is ripe with promise for future trends and innovations that will further enhance safety. Anticipated trends include the integration of artificial intelligence

[21] K. Hardy, H. Scholz, *Transatlantic Technical Recommendations*…, op. cit., p. 1.

[22] For more information about the future trends in the EV market, refer to The International Energy Agency, *Global EV Outlook 2023*…, op. cit. and McKinsey & Company, *Spotlight on Mobility Trends 2023*, https://www.mckinsey.com/industries/automotive-and-assembly/our-insights/spotlight-on-mobility-trends, (accessed 20.01.2023).

(AI) to augment safety features, predictive maintenance[23] systems to enhance reliability and advancements in materials engineering for lighter yet stronger vehicle structures. The discussion extends to the role of connectivity and vehicle-to-everything (V2X)[24] communication, empowering vehicles to share critical safety information in real-time.

The future of electric vehicle safety is intricately linked to the integration of emerging technologies[25] poised to redefine automotive standards. Advancements in sensor technologies, including LiDAR and advanced camera systems, promise to elevate the precision and accuracy of safety features. These sensors contribute to enhanced collision avoidance, pedestrian detection and overall situational awareness, augmenting the safety ecosystem of electric vehicles.

By navigating through these emerging technologies we gain insights into the industry's commitment to pushing the boundaries of innovation. The intersection of AI, advanced sensors and safety systems not only propels electric vehicles into a new era of security but also positions them at the forefront of technological evolution in the broader automotive landscape.

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[23] **Predictive Maintenance Systems:** Systems that use data and AI to predict and address potential vehicle issues before they become serious problems.

[24] **Vehicle-to-Everything (V2X) Communication:** Technology that allows vehicles to communicate with each other and with infrastructure to improve safety and efficiency.

[25] **Emerging Technologies:** New advancements such as AI and advanced sensor technologies that enhance the safety and functionality of electric vehicles.

Joint Research Centre of the European Commission, *EV Charging Infrastructure Rollout: EU-US Technical Recommendations Are Out*, https://joint-research-centre.ec.europa.eu/jrc-news-and-updates/ev-charging-infrastructure-rollout-eu-us-technical-recommendations-are-out-2023-05-31_en?prefLang=sv, (accessed 20.01.2023).

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Summary

In the dynamic realm of electric vehicle safety, this comprehensive exploration unveils the multifaceted dimensions that underpin the evolution of this transformative industry. From the intricacies of battery safety to the intricately designed crash standards, the challenges posed by charging infrastructure and the nuanced interplay of human factors, this journey has illuminated the crucial facets that define the safety landscape of electric vehicles.

As we conclude this in-depth examination, it becomes evident that safety is not just a regulatory requirement but a guiding principle that propels the industry forward. The global surge in electric vehicle adoption necessitates a harmonized approach, where technology, regulations and user awareness converge to create a secure and standardized foundation. Challenges abound, from cybersecurity threats to compliance complexities, yet within these challenges lie opportunities for innovation, collaboration and a redefined understanding of safety in the context of electric mobility.

Looking ahead, the future holds the promise of groundbreaking technologies, interconnected safety systems and a landscape where electric vehicles not only reduce environmental impact but also set new benchmarks for occupant and pedestrian protection. The ongoing dialogue between manufacturers, regulators and consumers will continue to shape the trajectory of electric vehicle safety, paving the way for a secure, sustainable and transformative electric future.

As electric vehicles transcend the boundaries of innovation, safety remains the compass that guides this transformative journey. It is a journey propelled not only by technological advancements but by a collective commitment to forging a future where mobility is not just efficient and eco-friendly but, above all, inherently secure for all who travel the electrified roads ahead.

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