

DAUGAVPILS UNIVERSITY

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**THEORETICAL AND PRACTICAL ASPECTS OF PUBLIC ORDER AND
SECURITY IN THE CONTEXT OF GLOBALISATION**

Synopsis of the doctoral dissertation
Doctoral Degree (PhD) in Law
Specialisation: Police Law

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GENERAL DESCRIPTION OF THE DISSERTATION

Relevance. The promotion of security and the strengthening of the values set out in the Constitution is one of the central leitmotifs that form the special identity of the Latvian state. A secure state and democracy of Latvia is characterised not only by stable and sustainable development of the social system, economic growth, protection of national interests, but also by civil order, low level of violence, legitimacy and effectiveness of the state administration and the legal protection system, as well as protection of the life, health and property of every individual.

However, despite the strengthening of democracy, Latvia's accession to the European Union, the Schengen area, NATO membership, which is indispensable in strengthening national security and defence, Latvia's security environment has experienced significant and unpredicted challenges over the last 10 years. The impact of the 21st century globalisation, including the shocks caused by the COVID-19 pandemic, the hybrid warfare by the Belarusian regime and the Russian military invasion of Ukraine, makes one rethink the importance of security and the future of humanity in general — not only at the personal level, but also in terms of national and international security environment as a whole. Moreover, it is worth recalling that apart from these global threats, other new threats to public order and security, affecting not only the security and quality of life of the individual and society, but also national security are emerging.

There is no doubt that strengthening of national security is one of the government's priorities. This is confirmed by the “Declaration on the planned activities of the Cabinet of Ministers led by Arturs Krišjānis Kariņš” adopted in 2019. However, creating an agenda is not enough to strengthen security and promote further development of the security sector. One of the essential tasks of the state is to be able to achieve its goals in a dynamic and changing international security environment. Moreover, in today's circumstances, where every entity involved in safeguarding public order and security is facing major challenges, it is equally important to balance public security needs with the real capabilities of the state and the institutional system, providing a set of tangible and intangible security preconditions for individuals.

Therefore, it is logical that in the activities of the Parliament, Government, law enforcement agencies, national security institutions, National Armed Forces, and local government institutions, increased attention is paid to issues related to the planning and monitoring process of security policy, improvement of regulatory framework in this area, as well as the development of practices and methodologies adopted by the relevant institutions.

The balance of global and geopolitical developments is changing in the world. This unpredictable reality is closely linked to the complexity of threats, the spread of hybrid threats and their evolutionary nature, which introduces certain adjustments to the security dynamics of Latvia as well. When assessing processes taking place in the international arena from the perspective of Latvia's interests, a number of factors shaping the safety environment need to be examined closely.

First, it can be attributed to the progress and impact of globalisation, the impact of the COVID-19 pandemic, and emerging types of threats to security and democratic values.

Second, it is a different understanding of security issues, among not only legislators and policy makers, but also society as a whole.

Third, the security environment is affected by legal problems encountered by the state and local government institutions involved in ensuring security, as well as a number of structural, organisational and tactical aspects.

Fourth, lack of cooperation, communication and trust between the public and several actors (security institutions, policy makers, non-governmental organisations, media, etc.).

In summarising these facts and arguments, the choice of the subject of the dissertation is based on the author's desire to study the theoretical and practical framework of public order and security. The findings resulting from the analysis will first provide scientific and theoretical input to the deepening and broadening of the concept of public order and security from policy-making and regulatory perspectives. Secondly, the findings translate into the creation of new practical knowledge and ideas, which would serve as a basis for the development and evolution of the practices adopted by the institutions involved in ensuring security.

The novelty of the dissertation is largely related to its relevance. The new developments in the changing security environment and new manifestations of threats in the field of public order and security make it necessary to develop not only applied, but also fundamental research in police law.

Previous studies in criminal law, administrative law, police law and political sciences indicate that this dissertation provides novelty. Only a few authors in Latvia have studied issues related to the field of public order and security. Besides, the available studies mostly focus on separate aspects of public order and security.

For example, Professor A. Vilks and Professor V. Zahars have studied topical issues of criminal policy, T. Jundzis — national security issues, Z. Indrikovs — the concept of police in a democratic society, criteria for assessing the effectiveness of the work of the State Police and issues related to the education of police officers, A. Matvejevs — issues related to the development of police theory, A. Feldmanis — police functions in preventing and detecting crime, E. Treļš analysed national minorities and the prevention of violations of the law in police work, K. Bite studied aspects of law enforcement service, I. Bērziņa — Ruķere — aspects of community-oriented police work, M. Žeivots and A. Garonskis studied issues related to the use of force in policing, professionalism and education of police officers. Research on national defence and security has been carried out by several researchers in political science, e.g. J. Ozoliņa, I. Ijabs, T. Rostoks, M. Andžāns, G. Pelnēns, R. Rublovskis, R. Bambals, N. Vanaga, and others.

The scientific and theoretical significance of the dissertation builds on conclusions and recommendations corresponding to modern circumstances, which are based on a compilation of different opinions of many researchers, policy documents, institutions' practices, and in-depth research, which may constitute the basis for further development of the field of public order and security.

The aim of the dissertation is to analyse theoretical and practical aspects of public order and security in the context of globalisation, to recommend policy development measures, and provide input for improvement of the legal framework, thus contributing to the national and public security.

Tasks:

1. to carry out an analysis of the international security environment and identify potential threats to Latvia;
2. to carry out an analysis of scientific literature, regulatory framework and policy planning documents on the theoretical application of the concept of public order and security;
3. to explore public order and security as a theoretical and practical domain of the relevant state and local government institutions;
4. to analyse practical aspects of the organisation, performance of functions, and cooperation in safeguarding public order and security;
5. on the basis of a systematic analysis of theoretical and practical aspects of public order and security, to draw up recommendations that are appropriate to today's circumstances, which can serve as a basis for further development of the security sector.

Research questions. The dissertation is seeking to answer the following three in-depth research questions.

1. *What are the theoretical and practical aspects of ensuring public order and security?* With the help of this question, public order and security are analysed and compared with each other both as an object of scientific inquiry, as well as an object of protection by state and local government institutions.

2. *What factors and to what extent leave a theoretical and practical impact on the effectiveness of the public order and security system in Latvia?* With the help of this question, the impact of globalisation and several socio-economic factors on the performance of the functions of the institutions involved in ensuring security is analysed. Practical aspects of the activities of institutions involved in ensuring security, as well as issues of policy planning, division of competence, and cooperation, which affect the effectiveness of the activities of institutions, are also explored and analysed.

3. *How to address the current challenges of ensuring public order and security?* This question addresses policy development and proposals for improvement of the legal framework, which would serve as a basis for the growth of the public order and security system.

The object of the dissertation is public order and security as an object of protection by state and local government institutions.

The subject of the dissertation is the activities of law enforcement institutions, national security institutions, the National Armed Forces and local government institutions to ensure public order and security, and the impact of the globalisation on the security environment.

Methods used in the dissertation. General scientific research methods (analytical method, comparative method, inductive and deductive method, as well as the method of qualitative and quantitative data analysis) and methods of interpretation of regulatory acts (grammatical, historical, systemic and teleological method) were used in the development of the dissertation.

The basis of the dissertation relies on the results of the use of the analytical method, analysing legal acts, policy planning documents and conclusions included in scientific literature sources regarding the concept of public order and security, theoretical and practical aspects of ensuring security, as well as the impact of globalisation on the security environment.

The comparative method was used to study and compare changes in the legal framework and policy planning documents. The comparative method was also used to study different scientific opinions and practical experiences from several countries. As a result of the comparison and critical analysis, a number of policymaking ideas were proposed aimed at improving the legal framework.

The inductive method was used to draw general conclusions from certain aspects of the concept of public order and security in the security sector. While the deductive method was used to extract separate conclusions from analytical generalisations in the security sector on theoretical and practical aspects of public order and security. For instance, to make reliable conclusions on the involvement of state and local government institutions in ensuring public order and security, to examine the impact of globalisation on the security environment, the content of the concept of public order and security needs to be examined first.

The qualitative data analysis method (opinion polls, focus group interviews and observations carried out in Latvia over the past two decades) was used to study the criteria of subjective perception of public order and security. The quantitative data analysis method (analysis of the dynamics of crime in combination with the quantitative indicators of socio-economic processes) was used to analyse objective criteria of examining public order and security. Furthermore, the quantitative data analysis method (public expenditure analysis in the security

sector) was used to determine the impact of the economic cycle on the performance of the functions of the institutions involved in ensuring security.

The law researchers' community shares a common understanding that the interpretation of legal norms is a process in which all four methods of interpretation of legal norms (grammatical, systemic, teleological and historical) are applicable simultaneously and in a complementary manner. Therefore, the grammatical method of interpretation was used to clarify the meaning of the legal norms by analysing their syntactic structure, the terms used and their meaning, as well as the relationship between the individual elements of the sentence. In further study and analysis of the textual content of legal norms (which has already been clarified by the grammatical method) from the point of view of the interdependence of norms, as well as in the context of other norms, a systematic method of interpretation was used in the research.

The historical method of interpretation was used to clarify the meaning of the legal norms, taking into account the legislator's original intention and necessity, as well as to assess the reasons for future changes to the legal provisions. The historical method was used to study the development of various public and legal relations, which resulted in the need for a certain order and security in society. With the help of the historical method, the gradual expansion of the role and participation of state and local government institutions in the process of ensuring security was explored.

While the teleological method of interpretation was used to clarify the meaning of the legal provisions on the basis of their utility and the legal and social objectives which the relevant provisions are intended to achieve.

In the dissertation, the analysis of foreign practices is not included in a separate chapter. Instead, the discussed issues and problems are viewed in the context of examples of the Latvian and foreign best practice in the main part of the dissertation.

Approbation of the results of the research. Twenty-four scientific theses and publications developed by the author have been published on the topic covered in the dissertation. The results have been presented at 24 international scientific conferences and seminars held, inter alia, in New York (USA), Warsaw (Poland), Bratislava (Slovakia), Vilnius (Lithuania), Riga and Daugavpils (Latvia).

List of authors' theses and publications:

1. Kuzņecova K. Sabiedriskā kārtība un drošība – izpratne un jēdziens attīstībā. Daugavpils Universitātes 16. Starptautiskās zinātniskās konferences “Sociālās zinātnes reģionālajai attīstībai 2021” rakstu krājums. DU Akadēmiskais apgāds “Saule”, 2022. Publikācija pieejama elektroniski: http://humanitiessocial.lv/wp-content/uploads/2022/04/SZF-krajums_II_Valsts-un-tiesibu-problemas_2022.pdf
2. Kuzņecova K. Comprehensive national defense: the legal overhaul. Riga Stradins University International Interdisciplinary Conference on Social Sciences PLACES. Riga, RSU, 2019, 76. lpp. Tēžu krājums pieejams: http://places-conference2019.rsu.lv/sites/default/files/documents/PLACES_abstracts_book_rev.pdf
3. Kuzņecova K. Valsts un pašvaldības kompetence, garantējot sabiedrisko kārtību publisku pasākumu laikā. 2015. RSU elektroniskais juridisko zinātnisko rakstu žurnāls SOCRATES, 2015, Nr. 1 (1). Publikācija pieejama elektroniski: https://dspace.rsu.lv/jspui/bitstream/123456789/908/1/15-030_Socrates_1_2015_04_Kuznecova_025-034_.pdf
4. Kuzņecova K. Mūsdienu drošības teorijas attīstības tendences. Daugavpils Universitātes 9. Starptautiskās zinātniskās konferences “Sociālās zinātnes reģionālajai attīstībai 2014” tēžu krājums. DU Akadēmiskais apgāds „Saule”, 2014, 32. lpp. ISBN 978-9984-14-691-1.

5. Kuzņecova K. Tāldarbības akustiskās ierīces: biedējošs ierocis vai policijas nākotne, garantējot sabiedrisko kārtību un drošību? RSU Starptautiskās zinātniskās konferences “Inovātīvās jurisprudences aktuālās problēmas” tēžu krājums. Rīga, RSU, 2013, 59. lpp. ISBN 978-9984-793-27-6.
6. Kuzņecova K. Sabiedriskās kārtības un drošības izziņas kritēriji. RSU Juridiskās fakultātes starptautiskās zinātniski praktiskās konferences “Inovātīvā kriminoloģija - nākotnes izaicinājumi” tēžu krājums. RSU, 2013, 16. - 19. lpp.
7. Kuzņecova K. Sabiedriskās kārtības nodrošināšana pašvaldību teritorijā līgumisko attiecību aspektā. RSU Juridiskās fakultātes zinātniski praktiskās konferences “Tiesisko problēmu aktuālie jautājumi “Pacta sunt servanda”” tēžu krājums. RSU, 2013, 6. - 8. lpp.
8. Kuzņecova K. Sociāli ekonomisko pārmaiņu ietekme uz sabiedrisko kārtību. Valsts policijas koledžas II Starptautiskās zinātniskās konferences “Noziedzības prevencijas un apkarošanas novitātes pasaulē un Latvijā” rakstu krājums. VPK, 2013, 117. -126. lpp. ISBN 978-9984-49-797-6.
9. Kuzņecova K. Tiecoties īstenot efektīvu sabiedriskās kārtības nodrošināšanu – Latvijas un ārvalstu pieredze. Baltijas Starptautiskās akadēmijas starptautiskās zinātniskās praktiskās konferences “Transformācijas process tiesībās, reģionālajā ekonomikā un ekonomiskajā politikā” rakstu krājums. Rīga: Baltijas Starptautiskā akadēmija, 2013, 288. - 298. lpp. ISBN: 978-9984-47-076-4.
10. Kuzņecova K. Tiesībaizsardzības iestāžu kompetence sabiedriskās kārtības nodrošināšanas jomā. Daugavpils Universitātes 54. Starptautiskās zinātniskās konferences tēžu krājums. DU Akadēmiskais apgāds „Saule”, 2012, 121. lpp. ISBN 978-9984-14-564-8.
11. Kuzņecova K. Policijas pārrobežu sadarbības loma sabiedriskās kārtības un drošības nodrošināšanā Latvijā, Lietuvā un Igaunijā. Administratīvā un Kriminālā Justīcija 2012, Nr. 2., 74. - 80. lpp. ISSN: 1407-2971.
12. Kuzņecova K. Sabiedriskās kārtības nodrošināšanas problēmas krīzes apstākļos. Rīgas Stradiņa universitātes 2012. gada zinātniskās konference tēžu krājums. RSU, Rīga, 2012, 445. lpp. ISBN 978-9984-788-98-2.
13. Kuzņecova K. Ekonomiskās aktivitātes cikla ietekme uz sabiedriskās kārtības nodrošināšanas institūciju attīstību. Daugavpils Universitātes 7. Starptautiskās zinātniskās konferences “Sociālās zinātnes reģionālajai attīstībai 2012: Finanšu kapitāla ietekme uz reģiona ekonomisko konkurētspēju” tēžu krājums. DU Akadēmiskais apgāds “Saule”, 2012, 46. lpp. ISBN 978-9984-14-589-1.
14. Kuzņecova K. Spēka pielietošana policijas darbībā starptautisko cilvēktiesību standartu kontekstā. Valsts policijas koledžas I Starptautiskās zinātniskās konferences “Cilvēkdrošības tiesiskie, socioloģiskie un psiholoģiskie aspekti” rakstu krājums. VPK, 2012, 119. -130. lpp.
15. Kuzņecova K. Sabiedriskā kārtība kā sabiedrības drošības priekšnoteikums sociāli ekonomisko pārmaiņu apstākļos. Daugavpils Universitātes Starptautiskās zinātniskās konferences “Eiropas integrācijas sociālā un ekonomiskā dimensija: problēmas, risinājumi, perspektīvas” rakstu krājums. DU Akadēmiskais apgāds “Saule”, 2012, 432. - 439. lpp. ISBN 978-9984-14-585-3.
16. Kuzņecova K. Fiziska spēka pielietošana policijas darbībā- tiesiskie aspekti un aktuālās problēmas. Daugavpils Universitātes Starptautiskās zinātniskās konferences “Eiropas integrācijas sociālā un ekonomiskā dimensija: problēmas, risinājumi, perspektīvas” rakstu krājums. DU akadēmiskais apgāds “Saule”, 2012, 424.- 431. lpp. ISBN 978-9984-14-585-3.

17. Kuzņecova K. Dominējošo tendenču izpēte Eiropas Savienības institūciju judikatūrā saistībā ar piespiedu metožu pielietošanu policijas darbā. Daugavpils Universitātes Starptautiskās zinātniskās konferences “Eiropas integrācijas sociālā un ekonomiskā dimensija: problēmas, risinājumi, perspektīvas” tēžu krājums. DU Akadēmiskais apgāds “Saulē”, 2011, 79. - 80. lpp. ISBN 978-9984-14-5457
18. Kuzņecova K. Prohibition of torture in international law. Starptautiskās zinātniskās konferences speciālizdevums/grāmata “Wojna o pokoj”. Warszawa- Siedlce, 2011, 135. - 147. lpp. ISBN 978-83-7051-640-6.
19. Kuzņecova K. “Sabiedriskās drošības garantēšanai nepieciešamās spēka pielietošanas robežas”. RSU Starptautiskās zinātniskā konferences “Tiesību aizsardzības un policijas iestāžu loma un iespējas sabiedriskās drošības nodrošināšanā” tēžu krājums. RSU, 2011, 63. lpp. ISBN 978-9984-788-93-7.
20. Kuzņecova K. Spēka pielietošana policijas darbībā sociāli tiesisko problēmu kontekstā. RSU 2011. gada zinātniskās konferences tēžu krājums. RSU, 2011, 443.lpp. ISBN 978-9984-778-85-2.
21. Kuzņecova K. Spīdzināšanas aizlieguma tiesiskie aspekti. Administratīvā un Kriminālā Justīcija 2010, Nr. 1 (50), 47.-54.lpp. ISSN 1407-2971.
22. Kuzņecova K. Observance of human rights in policing. Starptautiskās zinātniskās konferences rakstu krājums “Police science 2009”. Police Academy of Bratislava, 2009, 6. - 16.lpp.
23. Kuzņecova K. Cilvēktiesībās noteiktais nediskriminācijas nodrošinājums policijas darbībā. Administratīvā un Kriminālā Justīcija 2009, Nr.2 (47), 95. - 100. lpp. ISSN 1407-2971.
24. Kuzņecova K. Privātās dzīves aizsardzības juridiskās garantijas. Starptautiskās zinātniski praktiskās konferences “Cilvēka tiesību un brīvību realizācijas aktuālās problēmas” referātu krājums. Rīga, 2009, 22. - 24. lpp. ISBN 978-9984-748-31-3.

List of scientific conferences:

1. Participation in the Daugavpils University 16th International Scientific Conference “Social Sciences for Regional Development 2021” on 15-16 October 2021, in Daugavpils. The topic of the report: Public order and security — the evolution of understanding and concept.
2. Participation in the International Scientific and Practical Conference organised by the Faculty of Law of Riga Stradins University “Innovative Criminology — Future Challenges”, 13 September 2013, in Riga. The topic of the report: Criteria for public policy and security inquiries.
3. Participation in the 23rd Annual International Symposium of Police Institutions “Global Issues in Contemporary Policing”, 4-9 August 2013, in Budapest (Hungary). The topic of the report: Development Tendencies towards Security Theory in Latvia.
4. Participation in the III International Scientific Conference organised by the State Police College “The Role of Law Enforcement Institutions in Safeguarding Public Order and Security”, 24-25 April 2013, in Riga. The topic of the report: Hooligans and drug addicts: the most serious threat to public order and security.
5. Participation in the Riga Stradins University International Scientific Conference “Current Problems of Innovative Law”, 25 April 2013, in Riga. The topic of the report: Long-range acoustic devices: a frightening weapon or the future of the police in safeguarding public order and security?
6. Participation in the project (JLS/2009/ISEC/FP/C2-4000000555) “Capacity-building of cross-border police cooperation in Lithuania, Latvia and Poland”, 2013.

7. Participation in the International Scientific and Practical Conference organised by the Baltic International Academy "Transformation Process in Law, Regional Economy and Economic Policy", 7 December 2012, in Riga. The topic of the report: In pursuit of effective public order — Latvian and foreign experiences.
8. Participation in the Daugavpils University 7th International Scientific Conference "Social Sciences for Regional Development 2012: The impact of financial capital on the economic competitiveness of the region", 8-11 November 2012, in Daugavpils. The topic of the report: Impact of the economic cycle on the development of public order institutions.
9. Participation in the Scientific and Practical Conference organised by the Faculty of Law of the Riga Stradins University "Pacta sunt servanda" on 7 November 2012, in Riga. The topic of the report: Ensuring public order in the territory of municipalities in terms of contractual relations.
10. Participation in the 21st Annual International Symposium of Police Institutions "Economic Development, Armed Violence and Public Security", 5-10 August 2012, in New York (USA). The topic of the report: Theoretical and practical problems in maintaining public order: the experience of the Baltic States.
11. Participation in the International Scientific Conference of the Baltic International Academy (in the framework of the Lawyer's Day) "Global challenges: Legal and organisational approaches to conflict resolution", 27-28 April 2012, in Riga. The topic of the report: The role of cross-border police cooperation in ensuring public order and security in Latvia, Lithuania and Estonia.
12. Participation in the II International Scientific Conference of the State Police College "Current developments in prevention and combating of crime globally and in Latvia", 24-25 April 2012, in Riga. The topic of the report: The impact of socio-economic changes on public order.
13. Participation in the Daugavpils University 54th International Scientific Conference, 18 April 2012, in Daugavpils. The topic of the report: Competence of law enforcement institutions in the field of public order.
14. Participation in the Riga Stradins University 11th Scientific Conference, 29-30 March 2012, in Riga. The topic of the report: The challenges of safeguarding public order in times of crisis.
15. Participation in the Daugavpils University International Scientific Conference "The Social and Economic Dimension of European Integration: Challenges, Solutions, Perspectives", 3-5 November 2011, in Daugavpils. The topic of the report: Public order as a prerequisite for public security in a context of socio-economic change.
16. Participation in the Riga Stradins University International Scientific Conference "The Role and Opportunities of Law Enforcement in Safeguarding Public Security", 28 September 2011, in Riga. The topic of the report: Permissible use of force in ensuring public security.
17. Participation in the Riga Stradins University 10th Scientific Conference, 14-15 April 2011, in Riga. The topic of the report: Use of force in the activities of the police in the context of social and legal problems.
18. Participation in the I International Scientific Conference of the State Police College "Legal, sociological and psychological aspects of human security", 28 January 2011, in Riga. The topic of the report: Use of force in police activities in the context of international human rights standards.

19. Participation in the Daugavpils University International Scientific Conference “Current Problem related to the State and Law”, 26-27 November 2010, in Daugavpils. The topic of the report: Use of physical force in police activities — legal aspects and current problems.
20. Participation in the working group organised by the European Police College (CEPOL) on the introduction of the common training module “Trafficking in human beings” in the training process of the Member States of the European Union, 15-17 November 2010, in Vilnius (Lithuania).
21. Participation in the Warsaw Defence Academy International Scientific Conference “Wspolczesne Bezpieczenstwo. Zagrozenia, wyzwania, paradygmaty”, 17 May 2010, in Warsaw (Poland). The topic of the report: Prohibition of torture in international law.
22. Participation in the Daugavpils University 52nd International Scientific Conference, 14 April 2010, in Daugavpils. The topic of the report: Implementing the fundamental principles of the European Convention on Human Rights in Latvia.
23. Participation in two international scientific conferences of Bratislava Police College “Police Science 2009” and “Progress in Criminalistics”, 9-12 November 2009, in Bratislava (Slovakia). The topic of the report: Observance of human rights in policing.
24. Participation in the International Scientific and Practical Conference of the Higher School of Social Technologies “Current Problems in Exercising the Human Rights and Freedoms”, 29-30 May 2009, in Riga. The topic of the report: Legal guarantees for the protection of privacy.

1. SYNOPSIS OF THE DOCTORAL DISSERTATION

1.1. Theoretical rationale

The theoretical basis of the doctoral dissertation consists of the relevant laws and regulations, short, mid, and long-term policy planning documents of different levels, scientific literature, periodicals, security perception studies and public opinion polls carried out in Latvia, practices of law enforcement institutions and local government institutions, case-law and other sources.

The dissertation relies on works of both Latvian and foreign authors in the theory of law, state law, sociology of law, criminal law, criminology, police law, administrative law, constitutional law, international law, political theory, economic theory and logic. The most prominent Latvian authors are as follows: K. Dišlers, N. Horns, V. Jakubaņecs, J. Neimanis, A. Kriviņš, E. Melķisis, I. Vedins, A. Vilks, V. Zahars, V. Upeniece, S. Kristapsone, A. Matvejevs, A. Feldmanis, Z. Indrikovs, Ē. Treļs, K. Bite, I. Bērziņa-Rukere, M. Žeivots, U. Krastiņš, V. Liholaja, A. Niedre, J. Pleps, S. Osipova, A. Stucka, Z. Rags, Ž. Ozoliņa, I. Ijabs, T. Rostoks, M. Andžāns, G. Pelnēns, R. Bambals, G. Reire un N. Vanaga. References to foreign sources include such authors as G. Evans, A. Maslow, H. Haftendorn, J. Stefanowicz, H. Dyer, J. Harari, B. Buzan, G. Christou, S. Croft, M. Ceccorulli, S. Lucarelli, J. Shane, M. King, D. Sharp, J. Filaber, V. Tumulavičius, A. Sekula, O. Osierda, V. Malahov, M. Ahapova, I. Jeropkin, L. Popov, V. Lazarev, J. Suharev, S. Belsk, L. Kambek, M. Korkunov, etc.

1.2. Main results of the study

The dissertation consists of four Chapters with Sub-sections, which aim to comprehensively disclose theoretical and practical aspects of public order and security in the context of globalisation.

In the first Chapter, security theories and their development trends in Latvia and the world are analysed, security concepts are explained, while exploring the risks of current external and internal national threats.

The second Chapter analyses public order and security as an object of scientific inquiry, objective and subjective criteria of inquiry, and the regulatory framework in the field of public order and security.

The third Chapter analyses the role of the state and local governments within the public order and security system, the regulatory framework and practice of the State Police and municipal police. It includes an in-depth focus on the adequacy and effective use of the resources needed to perform police functions.

The fourth Chapter examines in depth the structural aspects of the police, organisational aspects, and cooperation with other bodies involved in safeguarding public order and security, as well as challenges related to aspects of personnel policy.

1.2.1. Trends of modern security theory in Latvia and the world

Latvia, both globally and regionally, advocates for creating a safe environment, but we know from the experience of ancient civilisations that everything is changing with time.¹ As a result of globalisation and the COVID-19 pandemic, as well as the increasing hybrid, military and other destabilising activities of individual countries, creating a permanent threat to the world, the new reality is becoming increasingly changing, insecure, complex and precarious. However, according to the VUCA theory, the “precarious era” began a long time before the spread of these threats.

At present, there are undeniable manifestations of reality in which, along with the globalisation trends, global crises of unprecedented scale and global challenges threaten the entire international security environment. In today’s circumstances, the classical conventional (Lat. *conventionalis* - in accordance with the law, treaty or convention)² threats are accompanied by new global challenges. The EU Security Union Strategy 2020-2025 identifies hybrid threats, terrorism, cybercrime and organised crime as the main threats to the world.³

However, the historically developed international security environment and order that institutionally took its current form in the previous century is now undergoing fundamental changes. The shocks caused by the COVID-19 pandemic, the geopolitical tensions that escalated with the hybrid warfare of the Belarusian regime and the Russian military invasion of Ukraine, not only call for a reflection on a range of security risks, the transformation of the modern military security environment, but also underline the importance of strong transatlantic ties in strengthening security.

So far, there have been many attempts to study the concept of security. It could be argued that the problem of defining security persists for as long as security exists as a geopolitical, international, constitutional, national, military, economic and social phenomenon, which has a determinative effect on the history of all states and human development.

In essence, all scientific research regarding the concept of security show some undeniable commonality. The multi-faceted understanding of the concept of security clearly shows that nowadays it is not possible to create a universal category that would allow security knowledge to be used both in academia and in practice as a generally accepted form and content. The author concludes that the growing range of threats in recent decades continues to provide researchers with increasingly new areas of study. In addition to the interdisciplinary approach, the creativity of the researcher and an inquisitive view of today’s realities are particularly important aspects of research on theoretical and practical aspects of security.

The concept of security sector offers a broader view of security than the so-called traditional or narrow approach, which mainly focuses on military and political security issues, and views state as the central target. The security sector approach proposes to structure security issues as follows: ‘military security’, ‘environmental (or ecological) security’, ‘economic security’, ‘public (or

¹ Ancient Greek philosopher Heraclitus Ephesus said: “*The generality of the change and the passing of each quality into its opposite makes all the qualities relative — everything flows, everything changes.*” See: Baloyannis St. The philosophy of Heraclitus today. Encephalos 50, 2013. P.1.

² In the dictionary of foreign words, the term “conventional” is explained as follows: agreed; adopted; conditional; related to tradition. See: Ilustrētā svešvārdu vārdnīca. Avots, 2005, 391. lpp.

³ EU Security Union Strategy. Communication from the commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee of the Regions. Brussels, 24.7.2020, COM(2020) 605 final. Available from: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0605> [viewed 20.01.2022].

identity) security’ and ‘political security’.⁴ In addition to the above definitions, several other aspects of the concept of security depending on the research discipline can be distinguished: ‘national security’, ‘state security’, ‘societal security’, ‘general security’, ‘social security’, ‘information security’, ‘cyber security’, ‘human security’, ‘job security’, etc.

Taking into account the fundamental shocks of the recent years in the context of the world, Europe and also Latvia, the author of the dissertation focuses in detail on three dimensions of security: national security, human security, and public security.

The concept of ‘national security’ in the context of international policy is described as multifaceted and dynamic, inquiry of which requires analysis at three levels: individual, national and international.⁵ The National Security Law and the National Security Concept are important security policy documents, however, the legislator, focusing on the protection of the sovereignty, independence, territory and democratic system of the state, has, to a certain extent, neglected the security of the individual. The author concludes that the current concept of national security does not include international cooperation and foreign policy, which would be required to provide appropriate framework for overcoming today’s most important challenges. These are the main arguments corroborating the author’s conviction that the current definition of national security requires updating.

In turn, public security, along with other security aspects, has become an important topic in academic and policy-makers’ debates. Although, from a legal point of view, public security is primarily related to the activities of law enforcement institutions and the safeguarding of individual rights, freedoms and legitimate interests⁶, the integration of the concept of public security into national defence and national security policy is evident in the dissertation.

The integration of the concept of public security into the security policy cycle is rather fragmented, and the results are mixed. Therefore, the author is convinced that in today’s changing environment there is an urgent need for a single and comprehensive medium-term policy development document — “Public Security Development Strategy”, which would include a framework for public security, priorities, main activities and deliverables, providing for the protection of life, health, rights, and freedoms of individuals, protection of property, economic and social stability, environmental protection, as well as the capability to respond to external and internal threats and dangers.

1.2.2. Public order and security as an object of scientific inquiry

The range of ideas for defining and explaining public order is wide: from the emerging of awareness of law and order in Ancient Greece, cementing the theory of social contract in the ideas of individual philosophers and law researchers in the 17th-18th century, to the gradual integration of various aspects of public order in the modern era — in social sciences (law and political science, sociology), as well as in history, philosophy and ethics.

⁴ Charrett C. A Critical Application of Securitization Theory: Overcoming the Normative Dilemma of Writing Security. International Catalan Institute for Peace. Barcelona. 2009. ISSN 2013.5785 (paper edition). P. 9.

⁵ Grizol A. The Concept of National Security in Contemporary World. International Journal on World Peace. Vol 11, No 3, 1994. P. 39-41.

⁶ Воронов А. М. Общественная безопасность: административные и информационно-правовые проблемы обеспечения и организации управления. М: ВНИИ МВД РФ, 2004, с. 14.

Safeguarding public order is one of the main functions of the state, which involves protecting many social systems and guaranteeing constitutional rights⁷, but the author concludes that its social and legal aspects are not sufficiently identified. Besides, it should be noted that the theoretical framework of the concept of public order is still not clear in the academic environment, nor among policy makers and legislators. According to A. Matvejevs, police law expert, there is still no unified scientific approach towards the meaning of this term, thus there is also a lack of uniform methodology in establishing the scope of responsibilities within the relevant public administration institutions.⁸

In today's circumstances, public order can be studied from several aspects: sociology of law, social psychology and, of course, a number of branches of law (history and theory of law, administrative law, criminal law, police law, etc.). It can be concluded that the sociology of law provides a wealth of research and important insights, due to some obvious reasons. Namely, as the legal scientist S. Osipova points out, the specific contribution of sociology of law to legal science is the ability to explain the importance of the law within the social system and to observe its impact on the regulation of public relations.⁹

From a legal and sociological point of view, the theoretical framework for public order shows that it is rather difficult to derive an integrated definition of public order and the constituent elements of its content; however, this is necessary. Public order is a complex phenomenon of social life, which consists of a large number of relatively independent elements, which, by their very nature, form a complex mechanism of interaction. Moreover, it is indisputable that, as recognised by administrative law, public order is a system of public relations formed within and outside public places, which is based on a relationship of morality, behaviour and legal norms, and involves the activities of state and municipal institutions in maintaining, shaping and safeguarding public order and protecting the rights and freedoms of every individual.

Thus, modern social sciences mark an important aspect — the gross disturbance of public order and blatant disrespect for society are initially associated with the personal attitude of each individual towards the norms of behaviour and morality that exist in the society. Besides, the protection of public order and public security is one of the main tasks of the administrative and criminal penal system. Although the system of administrative penalties was significantly improved in 2020, especially in the area of defining administrative liability in terms of public administration and public order; including the protection of public order in criminal law, it can be concluded that the public, researchers and practitioners are increasingly interested in the new trends and manifestations in the context of public order and security.

In the area of public order and security, anyone can interpret and emphasise a different subjectively important aspect of public order, thus making the very essence of the concept rather blurred. However, delimitation is, in the author's view, an important prerequisite for the inquiry process. This means that it is necessary to establish a common scientific definition of the concepts of 'public order' and 'public place' to be included in the regulatory framework.

At the same time, the author stresses the need to harmonise (unify) the rules for maintaining public order throughout the country. Following the example of Finland¹⁰, Latvia should also introduce a separate law on public order. Violations within the competence of law enforcement

⁷ Osierda A. Prawne aspekty pojęcia Bezpieczeństwa publicznego i porządku publicznego. *Studia Iuridica Lublinensia* 23, 2014. P. 90-91 Available from: <https://journals.umcs.pl/sil/article/viewFile/68/65> [viewed on 16.02.2022].

⁸ Matvejevs A. Policijas darbības teorijas attīstības tendences. Rīga, Petrovskis un Ko, 2009. 110. lpp.

⁹ Osipova S. Ievads tiesību socioloģijā. Tiesu namu aģentūra. 2010. 18. lpp.

¹⁰ Public Order Act. Ministry of the Interior of Finland, 612/2003, amendments up to 774/2010.

institutions relating to violations of public order and security could be included in a special sectoral law — the Public Order Law.

The public order and security inquiry process occupies a stable and lasting position among both policy makers and researchers. Security researchers recognise that there are at least two perspectives on the public order and security inquiry process regarding potential or existing threats. One is objective — it reflects the patterns and development trends of phenomena and processes,¹¹ regardless of whether the security subject identifies, assesses, reacts or ignores them, because of a failure to recognise direct impact of the threats. The second perspective is subjective. It reflects the perception, level of fear and knowledge of the impact of a given threat on a particular subject of security.¹² There is no doubt that the subjective perception and objective assessment of security may vary, but this does not mean that the “benchmark” security itself has transformed.

The criteria of public order and security inquiry cover a wide range of relationships, ranging from personal feelings and threshold of comfort to a set of available services and the crime level in the country. Thus, in theory we can assume that security criteria cover processes and patterns, ranging from the overall situation in the country to individual feeling of anxiety and perception of threats. However, despite many robust and measurable security criteria, in practice it is virtually impossible to predict, measure, avoid and address all the threats that make society vulnerable.

Today, crime is not just a simple sum of criminal occurrences, but rather a specific social process. Such conclusion is drawn by Assoc. Prof. Kristapsone, while pointing out that the level of crime in a particular administrative territory is an indicator of the development of society — a logical outcome of the specific stage of development of society.¹³ In the context of this conclusion, the author emphasises her observation that persistently stable crime level over the last decade, manifestations of vandalism, and significant changes in the population constitute a definite threat to individual, public and national security. The situation in the area of administrative liability - gross disturbance of public order and other forms of anti-social behaviour - also poses a serious threat to the public order and security and, at the same time, indicates a moral crisis within the society.¹⁴

What concerns the sustainable national development, any security issues must now be viewed from a forward-looking, future-oriented perspective. The subjective perception of security is relative, and may fluctuate over a certain period of time, as it relies on personal assessment. According to the security perception studies carried out in Latvia over the last two decades, no significant changes in the assessment have been revealed until 24 February 2022, i.e. economic, health and physical security factors that are essential for human survival and quality of life are rated higher than other security challenges. However, as the Ukrainian war demonstrates, the security environment is changing, it may become more insecure, complex and precarious, as a result of which the public security perception index and vital priorities for survival can change significantly.

¹¹ Kristapsone S. Noziedzība un to noteicošie sociāli ekonomiskie faktori Latvijā 90. gados. Promocijas darbs. Latvijas Universitāte. 2003. 16. lpp.

¹² Ozoliņa Ž., Sīmane M. Latvijas iedzīvotāju subjektīvais skatījums uz cilvēkdrošību. Cilvēkdrošība Latvijā un pasaulē: no idejas un praksei. Apgāds “Zinātne”, 2012. 60. lpp

¹³ Kristapsone S. Noziedzība un to noteicošie sociāli ekonomiskie faktori Latvijā 90.gados. Promocijas darbs. Latvijas Universitāte. 2003. 7.lpp.

¹⁴ Kuzņecova K. Sabiedriskā kārtība kā sabiedrības drošības priekšnoteikums sociāli ekonomisko pārmaiņu apstākļos. Daugavpils Universitātes Starptautiskās zinātniskās konferences „Eiropas integrācijas sociālā un ekonomiskā dimensija: problēmas, risinājumi, perspektīvas” rakstu krājums. Daugavpils universitātes akadēmiskais apgāds „Saule”, 2012, 432.- 433.lpp.

1.2.3. Public order and security as an object of protection by state and local government institutions

The obligation of the state, enshrined in the Constitution, to recognise and protect fundamental human rights, also provides for the protection of public order and security. The rights of a person may be restricted in the cases provided for by law in order to protect the rights of other people, the democratic system of the state, the security, well-being and morals of the society.¹⁵ This means that the state must have a security system and policy, including laws and their enforcement mechanisms, capable of ensuring the protection of the life, security and integrity of individuals, as well as the national security. An effective protection of national and public security therefore depends, in many respects, on a well-organised, strategically oriented, coordinated, responsible security system based on risk management, crisis communication and capability to respond to every threat.¹⁶

Researchers who have focused on studying the state's administrative and policing functions enabled the author to highlight at least two important findings. First, one of the primary functions of the police is the safeguarding of order and security within the country, as well as the protection of the rights and legitimate interests of individuals from any threats. The police is therefore an integral part of the national criminal and administrative justice system. Second, the field of study of the administrative and policing functions is to be considered not only within the limits of the police's administrative scope, but also in relation to the competence of other public administration institutions, including the national security authorities, to protect public security. Many researchers who have sought to deepen the concept of security through administrative policing functions have identified this.

However, not only effective law enforcement institutions, but also high-quality laws and policy planning documents act as an important guarantor of public order and security. Having analysed the transformation of the law "On Police" over the past 30 years, the author concludes that the legislator has amended it almost 50 times. Researchers, policy-makers¹⁷ and legislators with similar views recognise that the law "On Police" has not always been reflecting societal developments, also noting that the organisational structure of the police is too centralised, their tasks and powers are too broad and blurred, thus impeding the police to fulfil the defined tasks effectively.¹⁸

Moreover, the definition of the police as a militarised institution is no longer in line with today's understanding of the role of the police in a democratic society and the principles on which cooperation between police and society is based. Therefore, now that the operational strategy of the Ministry of the Interior for 2020-2022 has been approved, work on the new operational strategy

¹⁵ Constitution of the Republic of Latvia. LR Satversme (1922). Latvijas Vēstnesis, 43, 01.07.1993.; LR Saeimas un Ministru Kabineta Ziņotājs, 6, 31.03.1994. 89. un 116. pants.

¹⁶ New Zealand's National Security System. Handbook. Department of the Prime Minister and Cabinet. August 2016. P. 6. Available from: <https://dpmc.govt.nz/sites/default/files/2017-03/dpmc-nss-handbook-aug-2016.pdf> [viewed 06.03.2022.].

¹⁷ Article by Dmitrijs Trofimovs, Director of Sectoral Policy Department, Ministry of the Interior. Iekšlietu ministrijas Nozares politikas departamenta direktors Dmitrijs Trofimovs. Pārdomas par Valsts policiju un tās attīstību. Jurista Vārds. 2012. gada 11. septembris. Nr. 37 (736).

¹⁸ Cabinet Regulation. MK rīkojums Nr. 248 "Par Valsts policijas attīstības koncepciju". 06.04.2016. Latvijas Vēstnesis, 69, 11.04.2016.

of the Ministry of the Interior for the period 2023-2025¹⁹ has been started, the next important decision on the part of researchers, policy-makers and legislators would be to update and improve the concept of development of the State Police and the law “On Police” in accordance with the values of a democratic, law-based, socially responsible state, and the principles of meaningful cooperation between the state and society.

Most of the public order and security functions are carried out by the police. There is no doubt about its important role in Latvia’s security system. In this respect, the effectiveness of the involvement of law enforcement agencies in the security system becomes a determining factor, as individuals need a full range of security services. However, local government institutions, which are responsible for the social and physical security of citizens, also play a key role. Local authorities acting as coordinators in solving local security problems are equally important players in the Latvian security system. According to the author, ensuring comprehensive security is not possible only within the boundaries of a single institution and its scope of responsibility.

In the course of development of the local government principle, and the guidelines for its formation, the municipal police, through the legitimacy and delegation of the local government administration, is becoming an important intermediary in ensuring public security. As provided for by the current legislation, a local government may, as a part of engaging in safeguarding public order, establish its own municipal police or regional police²⁰, and several municipalities have already done it. Legal provisions that provide that local governments may establish municipal police grant the right to form it in their administrative territory, but do not impose it as an obligation.

Admittedly, the future of municipal police is just beginning to be discussed in the political and academic circles. In the context of the administrative reform that has just now entered into force and the changed boundaries of regions, cities and municipalities,²¹ local governments have undertaken diligent work to review also the activities of the municipal police in their administrative area.

In this regard, the author wishes to highlight the *new* law On Local Governments conceptually endorsed by the Saeima in 2021.²² As noted by the Minister of Environmental Protection and Regional Development, the law will promote modern governance and provide for an improved model of functioning of the local governments, and extensive, regular involvement of

¹⁹ The Interior Sector Development Council discusses strategy and progress. In Latvian: Iekšlietu nozares attīstības padome diskutē par nozares stratēģiju un paveikto darbu procesu pilnveidē. Iekšlietu ministrija. 01.12.2021. Available at: <https://www.iem.gov.lv/lv/jaunums/iekslietu-nozares-attistibas-padome-diskute-par-nozares-strategiju-un-paveikto-darbu-procesu-pilnveide> [viewed: 06.03.2022.].

²⁰ Section 19 of the law “On Police” provides that a local government may establish a municipal police or delegate the performance of tasks to another local government in accordance with the procedures laid down in the State Administration Structure Law. Local governments may also establish a joint municipal police in accordance with the law On Local Governments.

²¹ According to the Law on Administrative Territories and Populated Areas, which entered into force on 23 June 2020, 43 local governments have been established in Latvia instead of previous 119. The Republic of Latvia is divided into state-city local governments and municipalities. The municipalities are divided into towns and rural territories. See: Law on Administrative Areas and Populated Areas., 23.06.2020. Latvijas Vēstnesis 119.C, 22.06.2020

²² The draft Law on Local Governments (No 976/Lp13) was supported by the Public Administration and Local Government Committee on 14 April 2021. The draft law was examined in the first reading at a session of the Saeima on 22 April 2021. Progress of the draft law: <http://titania.saeima.lv/LIVS13/saeimalivs13.nsf/webSasaiste?OpenView&restricttocategory=976/Lp13> [viewed on: 18.03.2022].

local residents in the municipal activities.²³ At the same time, the new law provides for more specific definition of the autonomous functions of local authorities on the basis of proposals made by line ministries, as well as specifies the responsibilities of local authorities, for example by making it clear that as of 2024, the municipal police should be established in each local government.

With reference to theoretical guidelines on good governance, the author highlights the most important elements of good governance: the performance (effectiveness of implementation) of any reforms, and changes in legal framework, and their frequency. From this perspective, the author focuses on two aspects in the context of the draft law: 1) to ensure that the provisions of the law, which provide for the establishment of municipal police in each local government, are balanced with the allocation of financial resources to the local government budget, auditing of the allocated funds and efficiency; 2) to ensure that the provisions of the law provide continuity and are appropriately enshrined also in other laws and regulations (the law On Police), as well as in the policy planning documents of the local government.

The key features of Latvia's security are underscored by the synergy of three characteristics, each of which has an equal and complementary role. First, economic development. Second, comprehensive security. Third, democratic values and the rule of law.

In the context of the budget, it can certainly be said that the interior and defence sectors demonstrate their effectiveness in strengthening and developing security policies. On the other hand, with the increasing institutional mix involved in the safeguarding of security, along with the growing financial allocations, it is increasingly important to properly assess whether the funds invested in security are channelled in the most efficient way and meet the society's needs.

It is for this reason that, in order to ensure that the budget is used in accordance with the principles of legitimacy and the rule of law, and in line with goal-oriented approach, the main recommendations are drawn up at two levels. Firstly, a well-organised expenditure planning system with defined objectives and deliverables needs to be put in place. Secondly, the interior and defence sectors need a framework in which progress made and policy objectives achieved can be measured.

Another aspect to which the author pays particular attention is the development of public order and security. In this respect, the author stresses that effective safeguarding of national and public security, given the security environment challenges currently facing Europe and the Baltic region, is not compatible with the reduction of public spending on the security sector. This means that it is necessary to ensure that the body of institutions involved in safeguarding public order and security in the future has a material basis appropriate to today's circumstances — substantial additions to financing, infrastructure, equipment and personnel.

²³ The new law "On Local Governments" drafted by the Ministry of Environmental Protection and Regional Development has been submitted to the Cabinet for examination on 17 February 2021. Source: <https://www.varam.gov.lv/lv/jaunums/varam-izstradatais-jaunais-likums-par-pasvaldibam-iesniegts-izskatsianai-mk> [viewed on 10.03.2022].

1.2.4. Practical aspects of safeguarding public order and security

In the context of public order and security, there has always been the premise that a complete national and public security can only be achieved with robust security policy and effective law enforcement institutions in place.

After examining the layout of the existing structure of the State Police and the specific competence of the institution, it can be concluded that the State Police has developed a complex multi-stage organisational model, which consists of units of different levels and subordination. The fact that the structure of the State Police is fragmented and complex is indicated by a number of conclusions of the author included in the dissertation.

In this respect, the future vision of the police model proposed by the author foresees a number of elements. Firstly, the structure of the police must be designed to ensure an integrated regional approach (decentralisation), mainly by attributing the central role of safeguarding public order and security, as well as protecting the rights and legitimate interests of individuals to territorial police units. The second important proposed development is related to avoiding overlapping of functions at the level of the headquarters. This, as far as possible, implies functional separation of the 'decision-making power' of the institution from the 'executive power'. In the author's view, such a model would contribute to reducing bureaucratic procedures, overlapping and duplication of functions, while the efficiency of policing would increase.

When examining the actual scope of duties of the public order units of the State Police, the author outlines a number of noteworthy issues. First, patrolling, coverage of the relevant area, work with minors, and traffic control entails a number of overlapping competences in the field of maintaining public order, thus leading to the conclusion that there is no clear and comprehensible division of competences between police units in the performance of their duties in safeguarding public order.

Secondly, a large proportion of the functions performed by the public order police units are, by virtue of their complexity and comprehensiveness, comparable to those of a 'reactive police force'. This means that the police officers must be competent to perform a number of tasks simultaneously - to monitor traffic, public order, and to respond to events. Although some progress has been made in this regard, there are still many challenges related to the training of police officers. According to the author, as long as there are educational problems in relation to police officers in Latvia, as well as educational requirements in certain public order police units are the lowest within the police system, long-term security goals and solutions will not be achieved.

At the same time, it must be concluded that the current legal regulation is not sufficient to eliminate the risks of duplication of functions of the State Police and the municipal police, and it is therefore necessary to improve the legal framework in order to precisely define and balance the limits of the general competence of the two institutions. The second set of issues addressed by the author is related to the organisational structure of the public order units. The policing function and personnel comprise a system that cannot be viewed in isolation from developments within the institution, society and the country. The effectiveness of ensuring public order depends, to a large extent, on the available police personnel, their availability to the public. Therefore, recommendations for the improvement of policing are necessary not only to practically relieve employees from the performance of non-characteristic functions or to introduce prevention inspectors in the territorial police units, but also to improve the efficiency of human resources and personnel policy, creating appropriate working conditions, remuneration and attitudes.

Nowadays, ensuring public order and security is unthinkable without planned and coordinated cooperation, and assistance between law enforcement institutions, local government institutions, the National Armed Forces, non-governmental organisations and society. At the same time, the ongoing geopolitical changes have highlighted the need to strengthen international cooperation in order to protect the EU's common values and interests. This is highlighted by the statement by the European Council President Charles Michel, pointing out that 2022 is the year of EU security²⁴ and that the multiple security threats can only be overcome through open and credible international cooperation.

When looking at the development of sustainable cooperation in the context of public order and security, the author believes that several aspects need to be taken into account. First of all, in order to analyse meaningfully the aspects of building inter-institutional and public cooperation, it is necessary to study the content of cooperation arising from opinions, laws and regulations, and policy planning documents referred to in scientific literature. Secondly, in recent years there has been an "explosion" of new concepts of cooperation and approaches, enriching today's understanding of the diverse manifestations of cooperation and creating new forms of mutual engagement. Therefore, from an inter-institutional and public perspective, the author emphasises three important areas of cooperation: exchange of information, civil protection and cooperation in border areas.

There is much talk about the importance of access to law enforcement information in a globalised information space without borders, and it appears that one of the most important tools of police authorities in safeguarding public order and security is cooperation in exchange of information. According to the author, there are two long-term approaches to promoting exchange of information. The cooperation between institutions of modern developed societies takes place on the basis of mutual agreements. In this case, an agreement represents a voluntary commitment between two or more formally equal parties. Despite the fact that 10 years ago certain units of the State Police had already concluded cooperation agreements with the municipal police authorities²⁵, the author concludes that further development of cooperation agreements aimed at joining forces in carrying out joint targeted activities in local government areas would significantly improve the exchange of information and thus the safeguarding of public order and security.

Considering the importance of information and technology in today's circumstances, as well as referencing Assoc. Prof. Jon Shane, who argued that an effective exchange of information in the field of security should become a permanent process of cooperation between institutions,²⁶ the author emphasises the need to create legal, practical and financial solutions in the local governments as soon as possible, which would provide opportunities to fully utilise the Single Information Register, as well as enable the use of a single network of communication transmissions.

Since civil protection is one of the key elements of national and public security, public order constitutes an essential basis for civil protection. The state and local government institutions, whose agenda includes civil protection, undoubtedly contribute to the security of individuals and society.

²⁴ Charles Michel 2022 is the year of EU security. European Council President Charles Michel speech. October 2, 2021. Available from: <https://www.politico.eu/article/charles-michel-declares-2022-year-of-european-defense/> [viewed 23.03.2022].

²⁵ 28 February 2012 "Cooperation Agreement between the Kurzeme Region Administration of the State Police and the Ventspils Municipal Police", 29 May 2012 "Cooperation Agreement between the Kurzeme Region Administration of the State Police and the Liepaja City Municipal Police." Unpublished material.

²⁶ Shane J.M. Daily work experiences and police performance. *Police Practice and Research. An International Journal*. Volume 14, Issue 1, 2013, P. 21.

The link between public security and civil protection is therefore undeniable, since the system is united by a common objective of protecting the individual, property and the environment.

When examining the scope of competence of local government institutions, it must be concluded that there are several groups of functions, which signify the influence of local governments within the institutional system of civil protection. Also, the results of the work of several municipal police services show that the largest and most financially influential municipalities currently have sufficient capacity and knowledge to effectively maintain order and security, as well as to successfully provide civil protection.

Despite the fact that almost every local government currently ensures that the current version of the civil protection plan is publicly available on the website of the respective local government, it must be concluded that the regulation relating to civil protection in local governments is currently one of the weakest links. The common critical conclusions reveal a clear range of problems. In many local governments there are currently outdated, formal and even invalid civil protection plans publicly available, which mostly fail to reflect the actual state of affairs within the local government.²⁷ In this context, it is important to note that local authorities, without effectively functioning civil protection plans, largely show themselves to the public as ineffective and often contribute to a lack of mutual trust.

Another important aspect to which the author draws attention in the dissertation is the role of the National Guard in the field of civil protection. In the current circumstances, when the world has been shaken by Russia's military invasion of Ukraine, the important role of the National Guard in the civilian component of national defence will only intensify. Commander of the National Guard E. Leščinskis argues that the world has now seen and understood what the Baltic States were constantly talking about, i.e. that Russia is not an imaginary threat, it is an actual threat to the security of the entire Europe and the world. Our greatest lesson following the events in Ukraine is that we were right to believe that the National Guard, like the territorial forces in Ukraine, plays an immense role in the national defence. Of course, the tactics, operational command and techniques may be discussed, but, generally speaking, the capabilities of the National Guard must be developed even more intensively, as the National Guard will be the first to face a potential opponent.²⁸

In the current geopolitical context, the stability and security of the state border depends on a number of factors, but there is no doubt that one of the key elements with the greatest impact on national and public security lies precisely in effective cooperation with the neighbouring countries in the border area.

The author, being convinced that cooperation between the police authorities of the Baltic States plays a crucial role in strengthening the border, as well as ensuring the security of individuals and the public, focuses on joint activities of the Latvian, Lithuanian and Estonian police authorities in the border area.

There is no doubt about the positive impact and important role of the cooperation between the Baltic States in the protection of the state border, as well as in ensuring personal and public security. However, the next few years are likely to show the extent to which the parties involved in the cooperation are prepared to effectively implement concrete cooperation initiatives and to build a sustainable framework for the future. One must keep in mind that Latvia's national security is impossible without proper cross-border cooperation, which in many respects depends on

²⁷ Pētījums "Latvijas iedzīvotāju subjektīvā drošības uztvere: ietekme uz drošības politikas veidošanu". Rīga: LU Akadēmiskais apgāds, 2021. 197. lpp.

²⁸ Plauka J. Pirmie saskarsmē ar pretinieku. Intervija ar Zemessardzes komandieri Egilu Leščinski. Diena, 10.03.2022. 4.lpp.

practical, legal and also political aspects. By positioning itself as a reliable cooperation partner for other countries, Latvia contributes not only to the overall stability of the region, but also to the security of the international environment as a whole.

High-quality professional training of the staff is a fundamental precondition for the development of any law enforcement authority. The improvement of the knowledge of the law enforcement staff is consistent with the goal of the National Security Concept, according to which the capacity of law enforcement institutions must be further strengthened by implementing appropriate human resources policies, including by investing in education and professional training.²⁹

One of the aspects pointing to the topicality of the study of qualified personnel policy is the fact that with the dissolution of the Latvian Police Academy on 31 December 2009³⁰ the only higher education institution in Latvia was closed, which implemented eight unique study programmes in preparation of law enforcement officers. At the moment, it is difficult to judge whether the creation of a new university (the Internal Security Academy) is sufficiently reasoned and the necessity has been weighted against financial burden and feasibility, but the author has several reasons to support such a forward-looking development of the conceptual idea.

In almost every Member State of the European Union, a single specialised educational institution (Police Academy) has been established, which prepares highly qualified specialists in the theoretical and practical field of law enforcement and security. Until 2009 such an institution was the Latvian Police Academy, but currently a specialised university with strategic specialisation in the preparation of law enforcement personnel does not exist in Latvia. Therefore, the idea of creating a new Internal Security Academy to improve the knowledge and skills of the law enforcement staff, to enhance capacity and operational efficiency in the current difficult geopolitical context is only a logical and meaningful step towards strengthening national security.

²⁹ Approval of the National Security Concept. In Latvian. Par Nacionālās drošības koncepcijas apstiprināšanu. 26.09.2019. Latvijas Vēstnesis, 197, 27.09.2019.

³⁰ Cabinet Order No 442 "On Liquidation of the Latvian Police Academy". In Latvian. MK rīkojums Nr. 442 "Par Latvijas Policijas akadēmijas likvidāciju". 30.06.2009. Latvijas Vēstnesis, 106 (4092), 08.07.2009.

2. MAIN CONCLUSIONS AND PROPOSALS

The dissertation analyses theoretical and practical aspects of public order and security in the context of globalisation. By studying and analysing the potential threats to Latvia, the theoretical framework for safeguarding public order and security, as well as practical aspects of organisation of work, performance of functions and cooperation of law enforcement institutions, the author has achieved the aim of the dissertation and provided answers to the questions of in-depth research. In particular:

- the theoretical and practical aspects of ensuring public order and security are related to the characteristics of the changing security environment, the interdisciplinary scope and broad meaning of the concept of public order and security, as well as the largely different understanding and capacity of the state and local government institutions involved in safeguarding public order and security;
- the effectiveness of the public order and security system in Latvia is largely influenced by the globalisation, socio-economic factors and emerging threats to security and democratic values. In addition, the security environment is influenced by legal problems encountered by the state and local government institutions involved in safeguarding security, as well as several structural, organisational, tactical and cooperation aspects;
- the current challenges of ensuring public order and security can be addressed by developing policies in line with today's security reality, as well as by offering proposals for improvement of the legal framework, which would serve as a basis for the development of the public order and security system.

Thus, the analysis of the defined problems allowed to identify major shortcomings in the area of public order and security, and to propose policy developments in this area. At the same time, the author made proposals to improve the legal framework, thus contributing to the development of the discipline of police law, as well as to the national and public security. The author's conclusions and the resulting proposals are as follows:

1. In strengthening national security, Latvia sees its future within the European and transatlantic structures and their effective cooperation. Considering that Latvia needs to continue to invest in strengthening its security, the author encourages the Parliament, Government, law enforcement institutions to develop new discussions and formats for targeted and coordinated planning of cooperation between the Baltic States, efficient border management and information exchange. According to the author, the most immediate platforms, where Latvia has the opportunity to become an even more active participant in building effective security processes and partnerships, include the Presidency of the Baltic Assembly and the Baltic Council of Ministers in 2022, the NATO Summit in Madrid, which will adopt the 2030 Strategic Concept, as well as the Presidency of the Committee of Ministers of the Council of Europe in 2023.
2. Taking into account Latvia's national security policy, which is currently essentially focused on the internal security and defence of the state, the author proposes to extend the definition of "national security" contained in Article 1 of the Law on National Security by placing emphasis on three main components: the internal policy, the foreign policy, and the security of the individual, i.e. "National security is a state, attained as a result of joint, purposeful measures implemented by the State and society, guaranteeing the independence of the State, its

sovereignty, territorial integrity, and democracy, where the fundamental rights and freedoms of every individual are protected, the well-being and growth of society are ensured, and international partnership based on solidarity is ensured, recognising the contribution of the international community to strengthening internal and external security.”

3. Taking into account the geopolitical situation and the security challenges in the region, the author proposes to create a strategic framework for public security, the “Public Security Development Strategy”, which would, inter alia, define the concept of ‘public security’: “Public security is the foundation of national security, which is based on the implementation of cooperation between the public, state and local authorities, and other measures to protect the life, health, rights and freedoms of persons, property, public and national interests from criminal conduct and other unlawful threats, natural and man-made disasters, as well as any other external and internal threats and dangers.”
4. The theoretical framework of the concept of public order is rather vague and ambiguous, because it can be interpreted putting emphasis on specific self-serving aspects. In view of the above, the author proposes to unify the rules of policing in Latvia, following Finland’s example, i.e. to include violations of public order and security in the competence of law enforcement officers in a special sectoral law — the Public Order Law. At the same time, the author calls for a common scientific definition of the concepts of “public order” and “public place” by including them in the proposed law:
 - a) “Public order means generally accepted and legally binding patterns of conduct which ensure uninterrupted and peaceful functioning of State and local authorities, business entities and organisations, and the protection of the rights, freedoms, property and legitimate interests of individuals against violations of the law and other anti-social threats.”
 - b) “Public place means any public space, territory or place of entertainment and recreation, permanently or occasionally accessible to any natural person either for a fee or free of charge, which, regardless of its actual use or ownership, serves the needs and interests of society.”
5. A well-organised, strategically oriented, coordinated and responsible security system, adapted to the challenges of today’s security environment is needed in order to successfully address the internal and external threats, to provide national defence, public security and democratic development of the state.
 - a) In this context, the author proposes to supplement Section 3(3) of the National Security Law as follows: “The operation of the national security system is based upon civilian-military cooperation, risk management, crisis communication and the ability to respond to any threat. Civil-military cooperation shall be planned, coordinated and strategically oriented action by public administration institutions, the public, and the National Armed Forces in the overcoming of threats to national security.”
 - b) In order to encourage more coordinated action by the police and other law enforcement authorities, and more effective participation in this system, which would be a solid basis for achieving security objectives, the author proposes to supplement Section 19(2¹) of the

National Security Law as follows: “The heads of State security institutions, other law enforcement and local government institutions may be invited to participate in the meetings of the National Security Advisory Board in an advisory capacity.”

6. Judging from the experience of other democratic countries and taking into account the constantly changing security environment, it can be concluded that the definition of the police as a militarised institution, as well as a considerable number of other provisions of the law “On Police”, do not correspond to the modern situation and understanding of the role of the police in a democratic society, as well as the principles on which the police-society partnership is based:
 - a) After the approval of the Ministry of the Interior’s operational strategy for 2020-2022, work on the new operational strategy of the Ministry of the Interior for 2023-2025 has been started, and the author proposes to update and improve the concept of development of the State Police in accordance with the current trends in the security environment.
 - b) The author has concluded that it would be equally important to agree on the framework for a modern definition of the police, which complies with the values of a democratic, law-based and socially responsible state, and the principles of targeted cooperation between the state and society. In this respect, the author proposes a new wording of Section 1 of the law “On Police”: “Police is a state administrative body established on the basis of law, the duty of which is to ensure public order, state and public security, as well as to protect the rights and legitimate interests of every individual from any internal and external security threats. The police shall implement targeted and coordinated cooperation with the State and local government authorities, as well as with the public, in achieving these objectives.”
7. The presence of the municipal police is becoming an important prerequisite for individual security and social development, therefore, in order to promote the establishment of municipal police services in local governments where they are not currently present, the author supports the proposal expressed in the draft Local Government Law to change the approach to the establishment and operation of the municipal police, stating that as of 2024 the establishment of municipal police will be a mandatory in each local government. In view of the above, the author proposes to reword Section 19 of the Law “On Police” at the time of the coming into force of the Local Government Law: “In safeguarding public order and security, the local government shall establish and finance the municipal police, in accordance with the “State Administration Structure Law” and the “Local Government Law.” While the transitional provisions are proposed to contain a clause on the obligation to establish and finance the municipal police as of 1 January 2024.”
8. In view of the fact that safeguarding public order and security essentially entails the performance of functions in accordance with the relevant territorial jurisdiction, the author proposes, from the point of view of the current situation and effectiveness, to transfer as many police personnel as possible to the regions (territorial police units), and to ensure that their functions are reviewed. While thinking about a sustainable structural model of the State Police institution with a rational planning of functions, the author proposes to the new Development Board of the State Police, which is currently included in the structural reform plan, to create a

new territorial police unit distribution framework. Moreover, the future police model must be designed to ensure an integrated regional approach (decentralisation), mainly by making the territorial police unit the central entity for safeguarding public order and security, as well as protecting the rights and legitimate interests of individuals.

9. Policing and police personnel constitute a unified system that cannot be viewed in isolation from developments within the institution, society and the state. Therefore, in order to improve the efficiency of policing, the author proposes to draw up and approve new rules of procedure for public order police units and stations, to develop new job descriptions, as well as to make changes to internal regulations in order to practically relieve employees from the performance of non-characteristic functions and to ensure the possibility of introducing the position of prevention inspector. At the same time, there is a need for strategic and financial improvements in ensuring the efficiency of human resources and staffing policies aimed at creating adequate working conditions, remuneration and attitudes.
10. The State Police and the municipal police share a common goal of safeguarding national and public security. However, the current legal framework is not sufficient to prevent the risks of competition and duplication of functions in the day-to-day performance of the duties of the State Police and municipal police. In order to resolve the above problem, the author proposes to define and balance the limits of the general competence of both institutions in the section dedicated to the duties in the law “On Police”. Namely, to define a set of rules that are mutually integrated. Furthermore, it is proposed that Section 19 of the law “On Police” includes the responsibilities of municipal police, which are currently not legally established, but which it performs in accordance with the security needs of the local government, such as ensuring public order during public events.
11. The law “On Police” provides for a critically incomplete regulation in the field of cooperation, thus creating a number of negative consequences.
 - a) In order to expand the possibilities and formats of inter-institutional police cooperation, the author proposes to reword Section 7 of the law “On Police”: “The police shall cooperate with state and local government authorities by utilising appropriate financial and human resources, and other facilities. The police and the cooperation partners shall undertake joint information exchange and operational activities aimed at safeguarding the individual and public security, as well as to prevent and detect crimes and other offences.”
 - b) In order to expand the possibilities and formats of international police cooperation, the author proposes to reword Section 8 of the law “On Police”: “The police shall cooperate with the police, international organisations, unions or communities of other countries in the exchange of information, in safeguarding public order and security, as well as in the prevention and detection of criminal offences in the border area, in training and exchange of experience, as well as in international missions and operations.”
12. In 2008, amendments were made to the law “On Police”, supplementing the responsibilities of the municipal police. Namely, the municipal police is tasked with registering complaints and reports regarding potential violations of the law and emergency situations, as well as to transmit

the received information to the competent officials and institutions as of 1 January 2025. Despite the fact that all the necessary legal preconditions are in place for the municipal police to be able to register information, it can be concluded that most of the municipal police units operate under the transitional provisions, and are not yet ready to take real action. Effective exchange of information in the field of security should become a permanent process of cooperation between institutions. The author therefore calls for legal, practical and financial solutions in local governments to be developed as soon as possible, which would provide opportunities to fully utilise the Single Information Register, as well as enable the use of a single network of communication transmissions.

- 13.** In the current circumstances, when the world has been shaken by Russia's military invasion of Ukraine, civil protection has once again been raised on the political agenda and also in society, highlighting two key aspects: civil protection plans and the involvement of the National Guard in the field of civil protection and in the performance of police functions. In order to improve the civil protection system, as well as to develop effective cooperation in the field of civil protection, local governments need to review and update civil protection plans, rendering them operational rather than a formal requirement. As to the national defence and security, the author proposes that local governments develop the capabilities of the National Guard even more intensively. In this regard, the author proposes that local governments and units of the National Guard enter into cooperation agreements or renew previously concluded agreements, since the National Guard will be the first to take action against a potential opponent.
- 14.** In the current geopolitical context, the stability of the national border is directly dependent on effective cooperation in the border area between the bordering states. In order to strengthen the capacity for cross-border police cooperation in the Baltic region, to provide common cooperation formats and develop professional competences of police officers, the author supports the creation of a sustainable framework for cooperation, and proposes to further intensify concrete cooperation initiatives, involving all the necessary practical, legal and also political instruments. In order to implement this, the author proposes the State Police units in the border area to conclude bilateral cooperation agreements with the police units of the neighbouring countries on the implementation of joint activities, including training.
- 15.** At the moment, a model of education for police and law enforcement institutions that is in line with modern circumstances is practically non-existent. In order to create a modern training model, which meets the needs of the law enforcement, serves public interests and ensures life-long learning, the author supports the policy makers' idea of establishing a new Internal Security Academy. The author encourages policy makers and researchers to examine this initiative, and discuss it from the perspective of both financial and professional requirements.

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