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**THEORETICAL ASPECTS OF STATE REGULATION IN THE
SPHERE OF FIRE SECURITY IN UKRAINE**

**ТЕОРЕТИЧНІ ЗАСАДИ ДЕРЖАВНОГО УПРАВЛІННЯ У СФЕРІ
ПОЖЕЖНОЇ БЕЗПЕКИ В УКРАЇНІ**

In order to substantiate the directions of improvement of the system of the state regulation in the sphere of fire security in Ukraine, the theoretical, subjects and institutional features of the this system have been investigated. On the basis of these values analysis, the aspects and directions of its functioning in Ukraine has been specified.

Keywords: *state regulation, system, framework, fire security.*

Для обґрунтування шляхів удосконалення системи державного управління у сфері пожежної безпеки в Україні досліджено теоретичні принципи та суб'єктно-інституціональні особливості формування такої системи. На підставі аналізу таких особливостей уточнено засади та напрямки її дієвого функціонування в Україні.

Ключові слова: *державне управління, система, принципи, пожежна безпека.*

Problem setting. The constitutionally enshrined norm in Ukraine is that the highest social value in our country is a person, her life and health, honor and dignity, inviolability and security. Undoubtedly, security is one of the most important conditions of human life and the most important principle of society's existence.

In turn, one of the most important and inalienable elements of the principles of the constitutional system, in peaceful times, is fire security, which is aimed at preventing and overcoming the risks and threats of the influence of external and internal factors of fire hazard on citizens, society and the state as a whole. In view of this, ensuring the protection of the population and real estate objects from fires, increasing the level of fire protection, developing fire security measures and creating favorable conditions of implementation of the state policy in the sphere of fire security is the main goal of the state fire safety management in Ukraine [1].

Recent research and publication analysis. Concerning the scientific and theoretical basis of the state regulation in the sphere of fire security study, it comprises the relevant scientific developments of the domestic scientists S. Andreev, V. Andronov, V. Bakumenko, S. Bilay, O. Gada, N. Grigorenko, V. Dzyundzyuk, S. Dombrovska, V. Fedorchak, V. Korniyshuk, M. Kuleshov, A. Kusic, O. Melnychenko, S. Maystro, V. Moroz, O. Nazarenko, A. Romin, K. Pasynchuk, M. Peleshko, R. Prihodko, R. Ratushnyj, V. Sadkovy, O. Semkiv, O. Sidorchuk, O. Sobina, O. Sobol, O. Trush, V. Tyutyunik, O. Yashchenko, O. Yevsyukov, etc. [1; 4-6]. Besides, the fundamental technical developments of the theory of fire security have been used, in particular, by L. Balychova, V. Domanskyj, L. Gorenko, B. Kasymov, M. Kozyar, I. Kuts, V. Lyublin, V. Nehaev, S. Stashenko, S. Taranenko, A. Tomilenko, M. Kharlamov and others [2; 3].

Paper objective. At the same time, not diminishing the achievements of the above mentioned scientists on this issue, there is no single theoretical concept of the state regulation in the sphere of fire security in our country which negatively affects the level of civil security (protection). Thus, the paper objective of this article is to analyze the theoretical framework of the system of state regulation in the sphere of fire security and directions of its improvement.

Paper main body. Fire safety is defined as a system of social and economic, as well as organizational and legal measures aimed at the protection of property, life, health and belongings of citizens, national economy complex, historical and cultural monuments, as well as environment and natural wealth from fire and hazards associated with it [1; 2].

In addition, fire safety is considered as a “condition of security from fires of a person, property, society and country as a whole [3].” In essence, fire safety is a type (direction) of national security consisting in the protection of life and health of people, property and other values of natural persons and legal entities, national wealth and environment, which provides for the timely prevention, detection, termination and neutralization of fires and their consequences.

Despite the rather high number of researches in the field of fire safety, it worth noting that the scientific literature gives no unified approach to the understanding of the notion of “fire safety” (FS). The main criteria usually include “the probability of fire occurrence on one or another site; the degree of heaviness of moral, social and economic losses; the degree of danger of fire consequences and the effects associated with it; the degree of property damage caused by fires, etc. [4]” The difference in approaches to the definition of FS causes certain differences in the directions of its provision.

The legal field defines FS as the “absence of unacceptable risk to fire occurrence and spreading and of the possibility of harm to living creatures, tangible assets and environment associated with them.”

Based on this, we believe that it is appropriate to understand FS as a dynamically stable state, under which the reasons and conditions causing the process of uncontrolled burning are reasonably absent or excluded, and in case of the occurrence of the latter, it is necessary to stop its spreading and damaging the environment, the interests of individuals, collectives, society and country with the factors peculiar to it and with their secondary signs.

As for the types of FS, there were no comprehensive researches of this issue given in the modern scientific literature. Unfortunately, the regulatory framework does not determine the types of FS as well. Nevertheless, the specific type of fire safety influences the system and the main directions of fire safety provision. That is why there is the need in certain classification of the types of fire safety. Depending on the object, fire safety may be divided into the following types:

- environmental – the security of environment, atmosphere, territories, water bodies, natural wealth, flora and fauna, ecological systems, biological and natural processes from the occurrence and negative influence of fire hazards;

- technical – the security of machinery, equipment, buildings and constructions, technological and technical processes from the occurrence and negative influence of fire hazards;

- social – the security of public relations and institutes, principles and values, achievements, interests, social processes and progressive development of civilization from the occurrence and negative influence of fire hazards.

In turn, social sector's fire safety consists of the fire safety of individuals, society and country. We believe that social fire safety is a stable state, under which the possibility of negative influence of fire hazards on life, health, property, administration order, human rights and freedoms; vital activity, development, society's tangible assets and spiritual values; national interests, country's territory and institutes, state structure activities is excluded or prevented. We consider that the above-listed types of fire safety within the territory of one country may be united into one notion – “national fire safety.” Moreover, depending on the spatial and geographic location, it is possible to determine the international and regional FS. According to all signs specifying the objectness of state administration, FS is a separate object of state administration. It is explained by the availability of the system of state protection of different objects ensuring this type of security (environment, life, health, property, rights and freedoms of natural persons, property and interests of society and country) from fire hazards.

We believe that fire safety provision is one of the most important functions of the state. It is a quite complicated social and economic task aimed at the prevention of fires in all fields of human activities and, in case of their occurrence, at the elimination of fires with minimum consequences. The introduction of new technologies and the development of economy constantly set new problems for the system of fire safety provision, the functions of which are enlarged and extended changing the structure of tasks, forms and methods concerning its effectiveness. It should be noted that the elements of the system of FS provision include state authorities, local self-governments, organizations, and enterprises regardless of the forms of property, as well as citizens, which take part in fire safety provision in accordance with the legislation.

Considering this, FS provision is assisted by the following:

- 1) legal and regulatory control and actions taken in this field;
- 2) establishment of fire safety and organization of its activity;
- 3) development and implementation of fire safety measures, execution of rights, duties and liabilities in this field;
- 4) execution of works and services in the field of FS, raising of public awareness of FS devices;
- 5) informational support; registration of fires and their consequences;
- 6) state fire inspection and other control functions aimed at fire safety provision;
- 7) introduction of the special fire prevention regime;
- 8) research and development support;
- 9) licensing of activities and confirmation of conformity of products and services in the field of fire safety.

The foregoing makes it possible to state about the existence of the separate subindustry of state administration – state administration of fire safety.

It should be noted that in Ukraine, during the years of independence, certain attention was paid to the study of such phenomenon as the state administration of FS within the framework of researches in different industries.

Thus, O. Trush asserts that “the characteristic feature of state administration of fire safety should be considered as the timely and exclusively correct reaction of the administrating body to the circumstances, which change quickly, and to the unpredictable developments, which require urgent actions in accordance with the organizational structure [5].”

Hence, state administration of FS is a complex, multifaceted and diverse process [6]. Its description based on all main stages of scientific research of a complex system (theory – methodology – methods – applied researches – implementation – wide practical application) may be provided by the scientists and practical workers in different specific areas.

State administration of fire safety must influence the system, its separate subsystems, blocks and elements with the purpose of preservation of their qualitative specificity, normal functioning, improvement and development in order to create and support the efficient level of fire safety in the country.

The study of the notion “state administration of fire safety” gives reasons to define it as one of the types of public administration that includes the complex of social relations, which, within the legal framework, provides the state of fire-proof vital activities of society, the protection of individuals, tangible assets and cultural values, society and country from fires and their consequences. We believe that the system of administration of FS should be aimed at the following:

- the creation of effective multilevel system of administration of economic entities activities concerning the FS provision;
- bringing the fire safety condition of sites and settlements in accordance with the requirements of laws and regulations;
- the reduction of risks connected with fire occurrence and threats associated with fires, the creation of favourable social conditions for vital activity of population, the reduction of influence of fire hazards on the environment;
- the reduction of the number of fires, casualties, economic losses and material damages;
- timely detection of fire sources, population warning;
- ensuring minimum time needed for the fire units to arrive at a fire site by way of their best location, etc.

Conclusions. Summing up the research, it should be emphasized that FS is definitely the object of state administration. Describing it, it is necessary to focus on its functional part, or to define it as a direction of the state national security aimed at the prevention of appearance of fire risks and threats to the citizens, society and country. The solution of the problem of FS provision consists in the comprehensive, stage-by-stage solution of problem areas in the field of fire safety by way of introduction of organizational framework of functioning of the fire protection system at all levels, the increase of effectiveness of administration on the part of the authorities concerning the issues of FS provision, and the intensification of regulatory, research and development, and resource framework aimed at the increase of the level of FS in settlements and on sites.

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ДЕРЖАВНА БЕЗПЕКА У СФЕРІ ЦИВІЛЬНОГО ЗАХИСТУ НАСЕЛЕННЯ

STATE SECURITY IN THE FIELD OF CIVIL DEFENCE OF POPULATION

У статті окреслені ролі цивільного захисту у контексті державної безпеки країни та проаналізовано нормативно-правову базу забезпечення державної безпеки у сфері цивільного захисту населення. Визначено, що на даний час з метою забезпечення реалізації державної політики у сфері цивільного захисту діє Єдина