

THE IMPACT OF MARTIAL LAW ON THE IMPLEMENTATION OF GENDER EQUALITY IN THE NATIONAL POLICE OF UKRAINE

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Annotation. The article provides a comprehensive analysis of the theoretical, legal, and practical foundations for the implementation of gender equality in the activities of the National Police of Ukraine, with an emphasis on the impact of martial law as a double-edged factor. The content of the concept of gender equality in the public service is outlined, the principles of non-discrimination and equal opportunities are revealed, and the compliance of the national regulatory framework with international standards established by the United Nations, the Council of Europe, and the European Union is examined. The current state and dynamics of gender relations in the personnel structure of the National Police of Ukraine, the peculiarities of service for women and men in peacetime, as well as problematic aspects of the implementation of the principle of equal opportunities in the period prior to the introduction of martial law are analyzed. The study considers practical aspects of service in combat zones, social protection, psychological support, and the balance of professional and family responsibilities. Prospects for improving mechanisms to ensure gender equality are identified, including adaptation of internal procedures of the National Police to crisis conditions, implementation of gender-sensitive human resource management, enhancement of legal culture among leadership, and integration of gender issues into professional training. The results have practical significance for developing internal regulatory acts, managerial decisions, social protection programs, and state policies ensuring equal rights and opportunities in law enforcement.

Key words: gender equality, National Police of Ukraine, martial law, gender policy, law enforcement agencies, equal opportunities, social protection.

1. Introduction.

The introduction of martial law in Ukraine has significantly affected the functioning of security and defense agencies, in particular the National Police of Ukraine. In these conditions, issues of human rights, equality, and non-discrimination have become more acute, which are particularly relevant in the context of gender policy. Martial law is a specific factor that simultaneously creates new opportunities for the implementation of the principle of gender equality and generates additional risks of its violation. The existence of such opposing trends necessitates a scientific understanding of the dual impact of martial law on ensuring gender equality in the National Police of Ukraine, as well as the search for effective mechanisms for its implementation in conditions of increased professional and social pressures.

2. The methodological basis of the study is a combination of general scientific and specialized legal methods of cognition. In particular, the dialectical method was used to analyze the duality of the impact of martial law on ensuring gender equality; the formal-legal method was used to study the norms of national legislation and international standards in the field of gender policy; the systemic-structural method was used to determine the place of gender equality in the staffing mechanism of the National Police of Ukraine; the comparative legal method was used to compare approaches to ensuring gender equality in peacetime and under martial law; and the logical-legal and generalizing methods were used to formulate conclusions and proposals.

3. Research objective.

The purpose of this article is to conduct a comprehensive scientific analysis of gender equality in the National Police of Ukraine under martial law, taking into account the duality of its factors, as well as to develop theoretically sound and practically significant proposals for improving gender policy in the activities of law enforcement agencies.

To achieve this goal, the article sets out to accomplish the following tasks:

- reveal the essence and content of the principle of gender equality in the public service system;
- analyze the regulatory and legal framework for ensuring gender equality in the National Police of Ukraine;
- identify the peculiarities of gender policy implementation in the NPU before and after the introduction of martial law;
- to examine the positive and negative aspects of the impact of martial law on the professional activities of women and men in the police;
- to identify the main problems and risks of ensuring gender equality under martial law;
- to formulate proposals for improving mechanisms for ensuring gender equality in the activities of the National Police of Ukraine.

4. Presentation of the main material.

The issue of gender equality in the public service occupies an important place in contemporary legal doctrine, as it is directly related to the implementation of the constitutional principle of equality and non-discrimination. Gender equality in public service is seen not only as formal equality of rights between women and men, but as a real opportunity for equal access to service, promotion, participation in management decisions, and realization of professional potential.

In scientific literature, gender equality is defined as “a state of social relations in which women and men have equal legal opportunities to exercise their rights, freedoms, and legitimate interests in all spheres of public life” [1, p. 345]. In the context of public service, this approach is particularly important, as it concerns an area where the state acts as a direct employer and guarantor of human rights.

At the same time, as N.M. Onishchenko rightly notes, gender equality in public service cannot be reduced solely to declaring equal rights, since “real equality requires the creation of organizational, social, and legal conditions that compensate for actual inequality caused by historical, social, and cultural factors” [2, p. 111]. That is why the modern concept of gender equality in public service is based on a combination of formal-legal and material approaches.

The main principles of gender equality in public service include the principle of equal rights and opportunities, the principle of non-discrimination on the basis of sex, the principle of proportionality, and the principle of fairness. In the law enforcement sphere, these principles are supplemented by the principle of professional suitability and functional expediency, which necessitates taking into account the specifics of official duties without violating the rights of women or men. As T.M. Kharchenko notes, “ensuring equality in the activities of law enforcement agencies must be carried out taking into account the balance between security requirements and human rights standards” [3, p. 220].

International standards of gender equality play a key role in shaping national policies on ensuring equal rights and opportunities for women and men, particularly in the public service and law enforcement agencies. Universal and regional international legal instruments enshrine the basic principles that must be implemented in the domestic legislation of participating states. Within the United Nations system, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is of fundamental importance, with provisions aimed at eliminating both direct

and indirect discrimination. As L.O. Lutsyk notes, “CEDAW has effectively established an international legal model for active state policy in the field of gender equality, which provides not only for the prohibition of discrimination, but also for the introduction of special measures” [4, p. 105].

The Council of Europe, in turn, has developed an approach to gender equality through the prism of human rights and democratic governance. The European Convention on Human Rights and the practice of the European Court of Human Rights have repeatedly emphasized that discrimination on the basis of sex is one of the most serious forms of violation of the principle of equality. European Union standards, in particular EU directives on equality and non-discrimination, also play an important role in shaping Ukraine’s gender policy. In the context of European integration processes, the implementation of these standards has become systematic, as reflected in the strategies and programs for reforming the security and defense sector.

The implementation of international gender equality standards in Ukraine is carried out through the harmonization of legislation, the adoption of state programs, and the integration of a gender approach into the activities of public authorities. According to M.I. Kharvoniuk, “the effectiveness of the implementation of international standards largely depends on the institutional capacity of the state and the level of legal culture of officials” [5, p. 240].

Ukrainian national legislation enshrines the principle of gender equality as one of the fundamental principles of the legal status of individuals and citizens. The Constitution of Ukraine proclaims the equality of rights between women and men and prohibits all forms of discrimination, thereby creating a normative basis for the formation of gender policy in the public service sphere. A special legislative act in this area is the Law of Ukraine “On Ensuring Equal Rights and Opportunities for Women and Men,” which defines the legal and organizational foundations of state gender policy. As I.V. Zhuravel notes, “this law was an important step in the transition from a declarative approach to institutional support for gender equality” [6, p. 107].

In the activities of the National Police of Ukraine, the principle of gender equality is specified through the provisions of the Law of Ukraine “On the National Police,” legislation on public service and a number of departmental regulatory and legal acts. Of particular importance are the internal orders and strategies of the Ministry of Internal Affairs aimed at introducing a gender-oriented approach in personnel policy, professional training, and the official activities of police officers. At the same time, scientific literature draws attention to the problems of practical implementation of these norms. Thus, O.M. Bandurka emphasizes that “the formal enshrinement of the principle of gender equality is not always accompanied by effective mechanisms to ensure it, especially in conditions of increased workload and risks characteristic of law enforcement activities” [7, p. 306]. Thus, national legislation and departmental acts create a sufficient regulatory framework to ensure gender equality in the activities of the National Police of Ukraine, but the effectiveness of their implementation largely depends on the consistency of state policy, the level of legal culture, and the adaptation of gender mechanisms to the conditions of martial law.

Prior to the introduction of martial law, gender policy in the National Police of Ukraine was shaped by the reform of the law enforcement system and gradual adaptation to European standards of public service. One of the key indicators of the effectiveness of the implementation of the principle of gender equality is the state of gender balance in the personnel structure of the NPU. After the creation of the National Police of Ukraine, there was a trend towards an increase in the number of women in the structure of the law enforcement agency, which was in line with the national policy of equal opportunities. In our opinion, police reform has been a catalyst for expanding women’s access to law enforcement, in particular through the updating of recruitment procedures and the reduction of formal restrictions. At the same time, the quantitative increase in women’s representation has not always been accompanied by qualitative changes in the distribution of positions and official powers.

An analysis of the NPU’s personnel structure during peacetime shows that women were mainly represented in middle and junior positions, as well as in support, personnel, analytical and preventive units. However, their share remained limited in management positions and units associated with increased risk. Thus, prior to the introduction of martial law, the gender balance in the National Police of Ukraine was characterized by positive dynamics in quantitative indicators, while maintaining structural asymmetry, which limited the full implementation of the principle of equal opportunities [8, p. 9].

Prior to martial law, service in the National Police of Ukraine was based on uniform legal requirements for police officers regardless of gender. At the same time, the practical implementation of these requirements revealed certain differences in the official status of women and men, caused by both objective and sociocultural factors. Female police officers were mostly involved in functions related to communication with the public, working with victims and minors, as well as analytical and documentary activities. This division of responsibilities reflects established gender stereotypes about the “acceptable” roles of women in law enforcement, which do not always correspond to their professional training and potential. Men, in turn, predominated in operational, patrol, and special units associated with physical exertion and increased risk. Although formally access to such positions was not restricted for women, in practice there were informal barriers related to personnel decisions and internal organizational culture.

Despite the existence of a developed regulatory framework, the implementation of the principle of equal opportunities in the National Police of Ukraine prior to the introduction of martial law was accompanied by a number of systemic problems. One of the key issues remained the gap between legislative declarations and actual management practices. Scientific research draws attention to the persistence of gender stereotypes in personnel policy, which manifested itself in approaches to the selection, evaluation, and promotion of police officers. In our opinion, inequality is often reproduced not through legal norms, but through the mechanisms of their application. Additional factors included limited opportunities to combine work responsibilities with family life and insufficient development of the system of social and psychological support for staff.

A separate problem was the lack of effective tools for monitoring compliance with the principle of gender equality and responding to cases of discrimination. This reduced the level of trust in institutional mechanisms for protecting the rights of police officers and contributed to the preservation of latent forms of inequality.

Martial law, as a special legal regime, has a comprehensive impact on all spheres of public life, including the functioning of public authorities and the implementation of gender equality principles. In the context of the activities of the National Police of Ukraine, martial law acts not only as a factor of increased mobilization of resources and human resources, but also as a catalyst for transformations in the system of gender relations. That is why it is appropriate to apply the category of “duality of factors” of martial law, which reflects the combination of positive and negative consequences of its impact on ensuring equal rights and opportunities for women and men [9, p. 3].

In scientific literature, the duality of legal phenomena is considered as the presence of internally contradictory but interrelated trends. As Drozd O.Y. notes, “extreme legal regimes, on the one hand, limit the effect of certain legal guarantees, and on the other hand, create conditions for the renewal of legal mechanisms and management approaches.” In the case of gender policy in the National Police of Ukraine, martial law simultaneously expands the range of professional roles for women and exacerbates the risks of gender inequality [10, p. 114]. Thus, the duality of martial law factors lies in the fact that it acts as a factor of progressive change in the field of gender equality and, at the same time, as a source of new challenges caused by increased danger, workload on personnel, and the transformation of law enforcement priorities.

The introduction of martial law objectively necessitated the most effective use of the human resources of the National Police of Ukraine, regardless of gender. In these circumstances, traditional approaches to the distribution of official functions were reviewed, which contributed to the expansion of professional opportunities for female police officers and enhanced their role in ensuring public safety and law and order.

Female police officers have become more actively involved in operational, investigative, and patrol activities, as well as in units that ensure the functioning of the police in conditions of armed conflict. As M.I. Kharvoniuk rightly notes, “crisis conditions force state institutions to abandon formal restrictions and focus primarily on the professionalism and competence of their personnel” [5, p. 301]. This approach has contributed to a reduction in the role of gender stereotypes in personnel decisions. In addition, martial law highlighted the need for communication, analytical, and psychological skills possessed by both women and men, which led to a more even distribution of official tasks. This, in turn, had a positive impact on the perception of women as full-fledged law enforcement officers and contributed to the gradual establishment of the principle of equal opportunities at the practical level. Thus, the positive impact of martial law on gender equality has manifested itself in the expansion

of the professional roles of female police officers, their increased participation in management decision-making, and greater institutional recognition of their contribution to law enforcement.

Along with positive developments, martial law has exacerbated a number of problems that negatively affect gender equality in the National Police of Ukraine. First and foremost, these include a significant increase in workload, heightened physical and psychological danger, and limited resources, which complicates the implementation of social guarantees for police officers. In such conditions, there is a risk of a resurgence of discriminatory practices driven by pragmatic considerations of operational expediency. In my opinion, in times of crisis and emergency, the principle of equality often gives way to considerations of efficiency, which creates a threat of restricting the rights of certain social groups. In law enforcement, this can manifest itself in the unjustified restriction of women's access to certain types of official duties or, conversely, in placing excessive responsibilities on them without providing adequate support.

An additional negative factor is the influence of gender stereotypes, which in conditions of martial law may be reinforced by traditional notions of "male" and "female" roles in the security sphere.

Martial law has significantly changed the conditions and nature of the work of the National Police of Ukraine, especially in regions directly affected by armed aggression. In such conditions, female police officers, alongside their male colleagues, are involved in tasks such as ensuring public safety, evacuating the population, documenting war crimes, and maintaining law and order in de-occupied and frontline territories.

A distinctive feature of women serving in these conditions is the combination of a high level of professional responsibility with increased physical and psychological risks. The involvement of women in performing tasks in high-risk areas is evidence of institutional trust in their professional competence, but at the same time requires enhanced security and social protection guarantees. At the same time, practice shows that female police officers effectively perform their duties in conditions of martial law, which refutes traditional notions about their limited suitability for work in extreme conditions. Along with expanding professional opportunities, martial law exacerbates gender-based risks for National Police personnel. These risks include increased psychological exhaustion, threats to physical safety, and the risk of secondary victimization when working with victims of war crimes and violence.

Scientific research shows that women are more likely to experience emotional burnout under prolonged stress, while men are at risk of hiding psychological problems due to social expectations of "resilience." The lack of gender-sensitive psychological support programs can lead to reduced performance and violations of police officers' rights. In addition, during wartime, there is an increased risk of latent discrimination associated with management decisions made under conditions of time and resource constraints. This requires the introduction of a systematic gender analysis of management processes in the activities of the National Police [2, p. 115].

Ensuring gender equality in a state of martial law is impossible without an adequate system of social protection and psychological support for police officers. The issue of balancing work responsibilities with family life is particularly relevant, as a significant proportion of police officers have dependent children or persons requiring care. In our opinion, social policy in law enforcement agencies should take into account not only professional efficiency, but also the human dimension of service. In wartime, this means the need for a flexible approach to organizing service, granting leave for family reasons, and providing access to psychological assistance regardless of gender. The further development of the gender policy of the National Police of Ukraine requires its adaptation to the realities of martial law. Such adaptation should be based on the principle of flexibility and focus on the needs of personnel, taking into account international standards and national security priorities.

Institutional mechanisms play an important role in ensuring gender equality, in particular the introduction of gender-sensitive personnel management, regular monitoring, and internal control. It is advisable to create specialized units or appoint authorized persons for gender policy issues within the structure of the NPU. The effectiveness of legal guarantees directly depends on the existence of institutions capable of ensuring their implementation. In this context, improving the legal culture of police management is of particular importance.

Professional education and training of police officers should become key tools for creating a gender-sensitive environment in the National Police of Ukraine. Integrating gender issues into the educational programs of institutions with specific training conditions will help overcome stereotypes and foster a culture of equality.

5. Conclusions.

The study showed that ensuring gender equality in the National Police of Ukraine is a complex and multidimensional process that is significantly transformed under the influence of martial law. Martial law has a dual nature: on the one hand, it expands the professional opportunities of female police officers and helps to overcome gender stereotypes; on the other hand, it increases the risks of discrimination, psychological stress, and social vulnerability of personnel. Ukraine's regulatory framework is generally in line with international standards, but its effective implementation requires strengthening institutional and human resource mechanisms, developing gender-sensitive management, and integrating gender issues into police training. The implementation of these measures will ensure genuine equality of opportunity, increase the effectiveness of the National Police, and strengthen public confidence.

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