

Preventing international threats in the context of improving the legal framework for national and regional security

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Abstract. Geopolitical challenges and potential integral threats have put the issue of developing strategies and tools to counter risks and strengthen security on the agenda. The purpose of the study is to conduct a comprehensive assessment of the areas of criminal law development in the context of increasing national and international security. The study uses generalisation, analysis, systematisation, and deduction methods. The study assesses the impact of the Russian invasion of Ukraine, which, using the example of specific illegal actions in Latvia, revealed real risks for the national security of Latvia and the Baltic region. The paper considers crimes related to the violation of bans on participation in armed conflicts, organisation and conduct of military-tactical exercises, and the inadmissibility of assisting a foreign state in an act aimed against another state. Ultimately, such a review reveals the importance and real threat of these criminal offences to state security and identifies approaches for improving legislation in this area. The crime of “espionage” is investigated, which ultimately outlines the structure of such an illegal act and its danger. Considerable attention is given to the examination of torture as a crime against humanity, which is done based on national and international legislation. As a result, the evolution of this criminal offence is considered, various approaches to defining this phenomenon are evaluated, sadism as a particular form of torture is investigated, a classification of similar acts is created, and various types of consequences that could be caused during such a crime are formulated. The practical value of the study lies in the possibility of law enforcement agencies using the findings to form effective strategies for developing modern political and legal tools to prevent international threats

Keywords: criminal offence; armed conflict; torture; espionage; war crimes; liability

Introduction

The objective change in the criminal environment worldwide is particularly due to the invasion of Ukraine by the Russian Federation. Considering both the geographical location of the aggressor and historical aspects and years-long attempts to influence neighbouring countries, state policies once again have to deal with such international entities as the

Russian Federation or the HAMAS movement in Palestine. Therefore, the relevance of exploring the legislative base regulating this sphere of social relations is determined by the need to build a reliable security system, including in Latvia.

The research problem lies in phenomena that create a dangerous situation at the national and international levels.

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Thus, the proliferation of illegal weapons, the international character of crime, driven by the development of cyber technologies, and the increase in drug trafficking in Europe and other regions – all these are just a small part of crimes that collectively create a real threat to the security situation in the world, requiring a quality legal mechanism aimed at effectively regulating such large-scale illegal activities (Leshchenko, 2023).

C. Mölling and M. Schütz (2023) noted that the Russian war could also occur in a broader territory, and the Baltic countries might be at risk. In addition, the authors considered alternative paths that the North Atlantic Treaty Organization (NATO) might take in the future and the position of Germany in this situation. However, this study does not address the issue of legal regulation in the Baltic countries, while in the context of the general theme of the conducted investigation, it is necessary to emphasise that, according to part two of Article 80 of the Criminal Law of the Republic of Latvia (1998), acts against the territorial integrity of the state, committed using violence or as part of an organised group, are recognised as grave crimes against the state.

The study of K. Dupate *et al.* (2023) was also significant, in which the compliance of the Latvian legislative base and international legal standards in countering hate crimes and hate speech was analysed, and the practical implementation of state policy by law enforcement agencies regarding the responsibility of individuals and groups for such crimes was evaluated. Furthermore, the authors of the study were focused predominantly on the national level and did not consider this illegal phenomenon in the context of international trends and changes. Regarding the study by A. Else (2021), the author argued that terrorist attacks cause not only the loss of lives but also provoke violence and have a substantial impact on the economy of the state, as fighting them requires substantial resources. The study was aimed at defining terrorism, its reflection in international and Latvian law, and analysing criminal liability for terrorism in Latvia. However, it did not conduct a comparison with the legislation of other countries, in particular, Lithuania and Estonia, as this study did. It is also worth mentioning the paper by A. Nevera *et al.* (2022), which analysed a 30-year experience of Lithuania, Estonia, and Latvia in the development of national systems of legal cooperation in criminal matters. Special attention was given to the implementation of the EU secondary legislation and the cooperation system with third countries. The authors analysed national and international legislative provisions to identify positive and negative experiences, but the issue of criminal liability itself was not considered.

V. Zahars and V. Upeniece (2021) evaluated the legislation of the Republic of Latvia regarding restrictions on illegal participation in armed conflicts and acquiring “undesirable” military experience. The study analysed the provisions of relevant legal acts that limit service in the armed forces of other countries and participation in armed conflicts. Still, unlike this paper, V. Zahars and V. Upeniece (2021) did not explain the danger of violating this prohibition. Further, the study conducted by R. Rublovskis (2021) is of significance in this area, focusing on the repercussions of the COVID-19 pandemic and the challenges it introduced. The author argued that the importance of the role of states in the international and domestic arena would increase, yet some states might not be able to ensure their security and respond to

global threats of various origins. Nevertheless, the problem of implementing mechanisms to avert such dangers in R. Rublovskis’s (2022) work remained unstudied.

Therefore, to solve the stated problems, the purpose of the study is to conduct a comprehensive assessment of the vectors of the evolution of the criminal law base in the field of strengthening national and international security.

Materials and methods

In the course of the study, the method of systematisation was used, which facilitated the identification of interrelations between different elements of national and international security mechanisms regulated by relevant regulations. This made it possible to understand how national and international legislation envisages solving the problem of preventing threats. On the other hand, the deductive method was used to analyse the legal norms regulating the sphere of national and regional security, which allowed for conclusions to be drawn, in particular, about the danger of espionage to state security.

In close interaction, methods such as generalisation and analysis were applied, through which information related to security issues and related criminal offences was collected and evaluated. Thus, critical analysis revealed the strengths and weaknesses of the existing theoretical base, which was consequently converted into identified key concepts, trends, and areas for the development of the relevant legislation.

The studies of national and foreign authors covering the areas of legislative development in various countries in the field of criminal offences related to potential risks to the security situation were examined. As a result, after assessing their validity and methodological accuracy, the impact of the geopolitical situation in the world on the latest innovations in the legislation of Latvia and European countries, which concerned measures aimed at averting international threats, was determined. Latvian regulations governing criminal legislation were the basis of the conducted study, as they identified all the modern areas and mechanisms for averting international threats. The key document was the Criminal Law of the Republic of Latvia (1998), which defined all the considered criminal offences. Changes over the last decade in this document showed which priority areas of development were determined by the legislator, and, based on the content of the law, the compositions of criminal offences that threaten state and regional security were investigated.

For a more thorough interpretation of the legal base in narrow regulatory spheres governed by a large number of regulations in Latvia, the specialised National Security Law (2000) was used, thanks to which, in particular, the essence of the prohibition on organising military-tactical training was specified. In the context of comparison with the practice of other countries, the Criminal Code of the Republic of Lithuania (2000) and the Penal Code of the Republic of Estonia (1992) were examined. The considered codes were applied within the framework of creating a classification of torture as a criminal offence.

The study examined materials published by the State Security Service (2023). In addition, the judicial practice of the Human Rights Committee (1993) and Decision of the Plenum of the Supreme Court No. 1 “On the Application of Criminal Law in Cases of Intentional Infliction of Bodily Harm” (1993) was used. Considerable attention was given to exploring the Convention against Torture and Other Cruel,

Inhuman or Degrading Treatment or Punishment (Convention against Torture and Other Cruel..., 1984); European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2002) and the Geneva Conventions (1949). These international agreements allowed for the investigation of international mechanisms for ensuring the security situation.

Results

Analysis of the Latvian and international security regulatory framework

Like other Baltic countries, Latvia has experienced a long and complex history of statehood formation, marked by geopolitical instability and external threats. Consequently, strengthening security is one of the key priorities of the national policy of Latvia. This priority is reflected in the legal framework of the country, which is based on the Constitution of the Republic of Latvia (1922), defining Latvia as a democratic republic and proclaiming the protection of sovereignty, territorial integrity, and independence as the highest values.

To implement this provision, there is a constant need to improve current legislation and adapt it to new requirements, with a critical role played by the Criminal Law of the Republic of Latvia (1998), which establishes responsibility for all crimes that may pose an international and national threat. According to the provisions of the document, a global threat is any action or situation that may disrupt national security, sovereignty, territorial integrity, or interests of the country at the international level. Thus, criminal offences falling under such a definition are those listed in Chapters 9 (Crimes against humanity and peace, war crimes, and genocide), 9.1 (Crimes related to terrorism), and 10 (Crimes against the state). Among such crimes, the Criminal Law specifically establishes liability for participation in and financing of armed conflicts, terrorism, espionage, prohibition on service in the armed forces or law enforcement agencies of another state, incitement to acts that violate the country's sovereignty, and others (Shopina *et al.*, 2020).

Focusing on specific types of crimes that could be considered potential international threats, it is essential to emphasise that the Criminal Law of the Republic of Latvia (1998) currently provides for liability for violations of prohibitions related to participation in armed conflicts, their financing, as well as recruitment, training, and directing of individuals to such zones. It should be noted that such actions, which unlawfully interfere with the independence or territorial integrity of another democratic state, can also have a non-military nature and be considered equally harmful forms of assistance, as they are aimed at unlawfully influencing another state and increasing international instability (Byers, 2000). Any support for such actions signifies acceptance of a violent or forceful model for conflict resolution, which conditionally normalises the aggressor's approach, diminishes the importance of territorial integrity and sovereignty of democratic states, and shapes a supportive or indifferent attitude of the public towards geopolitical developments.

Special attention during the study was paid to exploring the concept of terrorism, to which Criminal Law of the Republic of Latvia (1998) devotes a separate chapter 9.1 titled "Crimes Related to Terrorism". According to the provision of Article 79.1, terrorism should be considered a socially dangerous act or actions if they are committed with the intent to intimidate the population or to influence the state,

its institutions, or international organisations to engage in a particular behaviour or refrain from it, or to cause harm to the interests of the state, its population, or international organisations. However, in addition to liability for terrorism, the mentioned chapter also establishes prohibitions on financing, justification, organisation, promotion, and commission of travel to prepare and perform any actions of a terrorist nature. The application of these norms is directly related to the political situation at the national and regional levels. Therefore, it is essential to consider the official position of Latvia, which states that the Baltic countries support global cooperation in combating terrorism, recognise its global nature, and are aware of the threat to peace, security, and human rights worldwide, which, in particular, is the reason for engaging in the exchange of intelligence information and cooperation with international partners to prevent any potential threats (Cupika-Mavrina, 2024).

Regarding war crimes, according to Article 74 of the Criminal Law of the Republic of Latvia (1998), they consist of criminally violating the customs and laws of war. These norms are enshrined in numerous international conventions and, depending on where they are adopted, relate to two branches of international humanitarian law – Hague Convention (1907) and Geneva Convention (1949). Among others, Article 3 of the Geneva Convention (1949) specifies the prohibition of violence to life and person, including murder of all kinds, mutilation, cruel treatment, and torture. The latter was the subject of a substantial part of the study, which, while not explicitly enshrined in a separate provision of Criminal Law of the Republic of Latvia (1998), is mentioned in a large number of provisions as a mandatory or possible element of other offences, which indicates its actual threat to national security. Overall, the prohibition of torture is absolute both in peacetime and in conditions of armed conflict, which is equally relevant at the national and international levels of legislation. Worldwide, torture is even more prevalent in informal closed institutions, the number of which is increasing, especially in the context of armed conflict and the conditions of detention, which are objectively difficult to control (Shevchuk *et al.*, 2022).

The term "torture" in Article 1 of the Convention against Torture and Other Cruel (1984) "Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment" is understood to encompass all acts of violence aimed at intentionally causing severe physical or mental pain to another person for purposes such as obtaining information or a confession, inflicting punishment, or intimidating or coercing that person or a third party into specific actions. Furthermore, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (European Convention for the Prevention of Torture..., 2002) stipulated that no one should be subjected to torture or other inhuman or degrading treatment that may undermine their dignity. However, the most important role of the document was in establishing a special European Committee tasked with monitoring compliance with restrictions on such punishments or treatments. Therewith, judicial practice recognises that "torture can be characterised by actions that, to the knowledge of the perpetrator, involve the repeated or prolonged infliction of severe pain or suffering on the victim" (Decision of the Plenum..., 1993).

Torture as a form of committing a criminal offence can be implemented in several forms of criminal acts. For a

comparison of legal practices in Latvia, the Penal Code of the Republic of Estonia (1992) and the Criminal Code of the Republic of Lithuania (2000) were used, forming the basis for the classification of torture proposed by the authors (Table 1).

Table 1. Classification of torture as a form of committing a criminal offence

Type of torture	Its interpretation
Torture committed as part of crimes against humanity and war crimes	Poses a threat to the individual's life, health, and freedom, as well as other fundamental rights.
Torture as a permanent criminal offence	Can cause various bodily injuries, which can be classified depending on the consequences as severe, moderate, or minor.
Torture committed during military service	Poses a threat to the order of military service and the health of the injured serviceman. The criminal offence is manifested in the violent behaviour of a serviceman towards another serviceman when at least one of them (or both) is on military duty.
Other criminal offences related to torture	Mainly relate to criminal offences where torture is indicated as a qualifying feature (Article 135 (Serious bodily harm), paragraph 6 of Article 138 of the Criminal Code of Lithuania (minor bodily harm)). Furthermore, crimes in the field of justice (for example, for forcing to provide false explanations, conclusions, or translations to a parliamentary investigative commission if they are related to torture).
An act of torture (torture or torment)	Characterised by keeping the victim in conditions that are life-threatening or can cause serious illness, intentional repeated or prolonged, or intentional single physical impact on the victim, causing him severe physical pain or mental suffering.
Animal torture	Associated with cruel treatment of an animal, as a result of which it died or suffered mutilation, or was tortured.
Torture involving violence or particular cruelty, manifested in the threat of physical abuse (psychological violence) or physical violence – beating, torment, torture	Special cruelty is associated with psychological or physical effects on the victim when, within the framework of a criminal offence, the victim is subjected to physical pain or mental suffering through torture, mockery, infliction of various degrees of bodily harm, and expressing real threats of various kinds.

Source: developed by the authors based on the Penal Code of the Republic of Estonia (1992), the Criminal Code of the Republic of Lithuania (2000), and the Criminal Law of the Republic of Latvia (1998)

Another threat to security on the international level is espionage, which is defined in accordance with the Criminal Law of the Republic of Latvia (1998) as a crime that can be committed directly when a person cooperates with a foreign state, its organisation, or its intelligence services, and indirectly when several persons are involved in the process of espionage. This corresponds to one of the main tasks of the special services of many hostile states, which is to create an illegal information network aimed against any democratic state and its internal and external security to give a foreign state an advantage in influence and the preparation of plans for the escalation of military conflict.

Directions for improving the regulatory framework in the field of strengthening security

In the context of criminal offences that threaten international and national security, it is important to strengthen the threshold of criminal liability for war crimes, crimes against humanity, and the justification of genocide. According to the Human Rights Committee (1993), Holocaust denial has become one of the main manifestations of anti-Semitism in some countries. The Committee recognises that the real purpose of those who deny genocide or crimes against humanity is not to discuss historical facts but to incite hatred against a national or ethnic group.

Planning and committing these crimes often involve organised groups, government officials, and responsible employees of a company (enterprise) or organisation, and they can also be committed using automated data processing systems. For these crimes, a sanction in the form of long-term imprisonment can be applied, which reduces the chances of

continuing criminal activity even after serving a short sentence. Thus, State Security Service (2023) of Latvia appealed to the prosecutor's office with a motion to bring to criminal responsibility three leaders of the organisation named "DVS Urantia" for justifying and glorifying the war unleashed by the Russian Federation in Ukraine and inciting national and interethnic enmity. During the investigation, the State Security Service (2023) found that the leaders of the organisation deliberately and systematically disseminated an ideology aimed at justifying and glorifying the military aggression of Russia in Ukraine and inciting hatred against Ukrainians, citizens of Ukraine, Jewish and Romani people. The leaders of the organisation promoted their ideology at esoteric events organised by this institution, in electronic correspondence, on social networks Facebook and Telegram, and on several specially created websites. The organisation had several dozen members who regularly participated in its events.

Violence against civilians in a combat zone, the looting of the deceased or wounded on the battlefield, and raiding, robbery, and plundering of individual regions are common occurrences during the war (Pilyukov *et al.*, 2023). As recent experience indicates, looting is widespread in the occupied territories among the military formations of the Russian Federation in Ukraine. The criminal practice of occupiers became widely known after the large-scale theft of washing machines by Russian soldiers, which received substantial publicity in the media (The Russians continue..., 2022). Changes to the Criminal Law of the Republic of Latvia (1998) provide for adding a new article 77.4 titled "Assistance to a foreign state in actions aimed against another state" to the legal framework. This legal norm establishes

criminal liability for actions aimed at assisting an individual, foreign state, or foreign organisation with the purpose of undermining or threatening the territorial integrity or political independence of a democratic country. The necessity of such a norm can be justified because the aforementioned actions contravene international law, normative legal acts, and treaties binding on the Republic of Latvia. Such behaviour threatens international peace and order and is particularly harmful, as the accused effectively supports the aggressor state (Nagan & Atkins, 2001).

Latvia intends to supplement the Criminal Law with a new section entitled “Violation of the prohibition on organising, conducting, and participating in military-tactical training” (95.2), which provides for criminal liability for organising or conducting military-tactical training and for participating in such events (Draft Law of the Legal Affairs Committee ..., 2020). Currently, the general prohibition on organising or conducting training for military-tactical tasks and participating in such events is provided for in section 3.2 of the National Security Law (2000). The deliberate development of collective combat skills creates the ability to perform specific tasks, including movement in terrain (formation, obstacle overcoming) and on the battlefield (fire and movement, mutual cover) and promptly resolve typical tactical situations. Similarly, practising military-tactical tasks such as attack, defence, and combat support develops skills and abilities such as capturing buildings, populated areas, releasing hostages, or, conversely, delaying the enemy, holding territory, structures, as well as auxiliary functions of these tasks – organised reconnaissance of an object or terrain. The competence to organise such training should belong exclusively to state authorities delegated with specific tasks in national security, defence, public order, and safety (Paparinskis, 2003). The acquisition of skills and abilities by a free and unrestricted circle of persons can create favourable conditions for the appearance of military formations, particularly increase the likelihood of committing violent criminal offences, including terrorist acts, and also worsen the overall security situation in the country and threaten the foundations of the state and the democratic order.

The government of Latvia has emphasised that the establishment of a solid legal and managerial framework is an essential tool in the fight against terrorism, as the ideology of terrorists and extremists in all its manifestations poses a severe threat to the common values enshrined, among others, in the Charter of the United Nations and Statute of the International Court of Justice (Charter of the United Nations..., 1945). Thus, the development of a legal mechanism in counteracting terrorism should be based on close cooperation grounded in the principles of the rule of law and human rights. To respond to these potential challenges, a comprehensive legislative framework has been developed to use legal instruments specifically designed to counteract and prevent phenomena such as violent extremism and terrorism (Cupika-Mavrina, 2024).

An important addition to criminal law is Article 85.1 of the Criminal Law of the Republic of Latvia (1998), which establishes criminal liability for organising or directing espionage. According to this provision, espionage can be defined as the illegal handling of state secrets, undisclosed information, or other information owned by a foreign state or foreign organisation. It may consist, firstly, in the illicit collection of or provision to another country or organisation

of information that is a state secret, directly or through another person; secondly, in the illicit collection of undisclosed information to provide it to another country or organisation, directly or through another person; or, thirdly, in the illegal collection or transmission to a foreign special service, directly or through another person, of other information at its request. Therefore, espionage can be described as relations between a handler (organiser, leader, or intelligence resident) and their agent (a person who spies, i.e., collects or transmits information), in which the former sets tasks, conducts training, conspiracy, and creates channels for the transmission of intelligence information, while the latter takes measures to obtain it (Dzhuzha *et al.*, 2023). In the intelligence mechanism, such as in a special service, the role of the handler (resident) is to create the widest possible network of agents, where one organiser or leader of the intelligence system maintains connections with several usually unrelated spies.

The organisation and functioning of espionage are particularly harmful because they advance the interests of a foreign state and its special services on a large scale, as the perpetrators of this activity ensure the operation of entire agent networks. Similarly, modern intelligence tools significantly enhance the quality, systematic nature, and scale of espionage, thereby creating a threat to the increasing intensity of espionage and particularly exacerbating the negative consequences for national security interests (Dunayev *et al.*, 2024). The actions of an individual spy may be impulsive, intermittent, and even random, but the intelligence handler operates continuously, systematically, and purposefully. Therefore, the multi-level support system, infrastructure, and set of conditions created by the handler can serve a whole range of recruited agents.

Thus, the study evaluated the existing legal framework in the national and regional security field, which allowed identifying the most dangerous and essential threats, considering the formed legal doctrine and the geopolitical situation in the world. In particular, attention was paid to those areas that have undergone changes in Latvian and international law in recent years. The need to improve legislation is due to the importance of adapting legal norms to a level capable of maintaining a stable security situation. In addition, the examination of criminal liability for crimes such as torture, espionage, violations of the prohibition on organising, conducting, and participating in military-tactical training, and others showed that the danger of such phenomena is a real international threat that requires effective legal mechanisms to counteract it.

Discussion

A comprehensive examination of the issue required a deep investigation and analysis of relevant studies directly or indirectly related to the issues of the role and status of legal mechanisms existing in Europe and other countries for preventing and countering threats that pose risks to national and international security. In this context, a detailed analysis of the theoretical developments of various authors was necessary to comprehensively assess the approaches of different legal systems to the challenges faced by states in the modern world.

The study emphasised that the problem of terrorism is one of the most dangerous threats to national and international security. This specificity was the leading motive of the study by H. Hasibuan and L. Tijow (2024a). The research results highlighted how effectively national legislation can

respond to local trends and how it adapts to the evolving threats of terrorism. The analysis allowed for a deeper understanding of the effectiveness of legal approaches in preventing and countering terrorism. Special attention was paid to ensuring a balance between security and human rights to ensure the compliance of law enforcement actions with human rights principles. The authors revealed the essence of legal approaches to counterterrorism, noting the challenges and achievements in improving legal policy and practice in the future and examining the interaction between international and national law in combating terrorism in Indonesia. Nevertheless, this study did not analyse the international legal framework, while H. Hasibuan and L. Tijow (2024b) explored the legal and institutional frameworks, emphasising the importance of international cooperation in preventing terrorism. The study combined normative legal analysis with an assessment of secondary data to deepen understanding of the role of government in countering terrorism in Indonesia. The findings of the study showed the importance of cooperation between relevant institutions and international cooperation in the fight against terrorism. However, these papers did not cover the issue of the interrelationship of related criminal offences with terrorism, which is also an important aspect of understanding how legal mechanisms can contribute to preventing such threats.

In the study by M.T.B. Salameh *et al.* (2022), the concept of national security of Arab countries, its elements and challenges, as well as regional threats and their role in influencing the national security of Arab countries, were presented. The authors assumed a direct positive correlation between the absence of the concept of Arab national security and the growth of regional threats in the region. The study was based on an analysis of international systems to reveal the internal nature of regional international relations in the Arab regional system, examine the interactions in the region's structure, and analyse the behaviour of countries in the region in the context of international relations. Thus, the study focused on examining the overall system of legal security of the mentioned region rather than on investigating specific threats to national security in the form of criminal offences, as in this study. In conclusion, the authors noted that the concept of Arab collective security continues to face ambiguity in defining and specifying its aspects and components.

The concept of crimes against humanity was discussed by B. van Schaack (2012), who noted that this term encompasses various actions that are criminal under international law when committed in the context of a widespread and systematic attack against the civilian population. It is difficult to agree with such an interpretation; as stated in this study, torture is a type of crime against humanity that includes any actions aimed at deliberately causing moral or physical pain to another person, while the criteria mentioned by the researchers overly narrow the scope of this crime, which can negatively affect the imposition of punishment for such criminal offences. On the other hand, the researcher reasonably noted that crimes against humanity are becoming an increasingly important element of the toolkit of any international prosecutor, as they can be used in relation to acts of violence that do not fall under other international criminal prohibitions, such as war crimes or genocide.

The joint publication by M. Slobodchikoff *et al.* (2021) brought together different viewpoints and directions to provide a comprehensive understanding of the future of the

Atlantic Alliance. Relying on their scientific experience and the analysis of academic experts and practitioners, the researchers offered a modern view of NATO and outlined its future course. This book combines the talents and experience of former American and European senior officials, operational officers, and researchers who have explored NATO in the context of preventing threats at the international level, allowing them to understand the realities of contemporary transatlantic security issues. The authors paid considerable attention to future opportunities and challenges, including the dynamically changing regional and global security environment, the rapidly evolving, destructive hybrid actions, cyber technologies, and the improvement of the legal course in this area. The book demonstrates the role of NATO in mitigating global military actions over the past decades, but its overview nature leaves the question of threat prevention unanswered.

The geopolitical situation in Israel has been a challenge since the founding of the country in terms of creating mechanisms to prevent international threats. In his study, C.D. Freilich (2023) asserts that in practice, the national security strategy of Israel has been highly successful, and it has become a stable and prosperous state, the existence of which is no longer in doubt. The author emphasised the importance of recognition of Israel as an independent country by Arab countries and the presence of a substantial number of diplomatic relations, a dynamic economy based on high technology, and a global cyber capability. The article examined the legal and political essence of terrorism as a crime in the context of Israel and explored the Palestinian issue, which is currently the main challenge hindering the security and future of a predominantly Jewish and democratic state. The study highlighted the need for a legal framework to regulate the situation in the country, considering the situation, but did not consider the international context and the practice of other countries with experience in this area.

The next comprehensive analysis in this area was made by W. Kitler (2023), who argued that each country should ensure the necessary conditions for creating an organisationally integral and legally defined system of national (state) security capable of effectively responding to challenges and threats. This thesis confirms current trends in the legislative sphere of Latvia aimed at strengthening and improving responsibility for crimes that pose a danger to the state. On the other hand, the authors examined specific aspects of Polish legislation, which demonstrated the clarity of regulating key aspects of the functioning of the state in the face of external threats. From the content of the study, it is also clear that the term "external threat" corresponds to the concept of "international threat", which was discussed earlier. The authors also laid the foundations for defining the organisational structure and principles of operation of the state apparatus, which are essential components of the national security system.

R. Ranjan's (2023) research focused on hostilities in the east of Ukraine to highlight possible violations of international humanitarian law. The author described war crimes such as looting, the use of prohibited weapons, and allegations of torture and unlawful detention. The researcher shed light on his own view of the impact of war crimes on the chances of resolving regional conflicts and establishing peace. However, the main drawback of the study was the consideration of war crimes without analysing the limits of responsibility for the offences committed, which, in the

context of this study, was done to explore preventive measures against international threats. The author also emphasised that the consideration of war crimes is necessary for a sustainable resolution of the crisis and the preservation of international law norms. Nevertheless, in R. Ranjan's (2023) study, the concept of "war crime" was insufficiently considered from the standpoint of international norms.

The specificity of torture was considered in the study by H. Carey and S. Mitchell (2023), where the authors examined the impact of the well-known terrorist events of September 11, 2001, which influenced the application of laws on national security and counter-terrorism worldwide. Thus, the researchers emphasised that despite the large number of ratifications of the Convention against Torture and its Optional Protocol, there are still differences between states regarding what constitutes lawful use of torture. This observation aligns with the establishment of the European Committee mentioned earlier, which was created by the Council of Europe to oversee compliance with the prohibition. It underscores the importance of having a single interpretation by an international body with the authority to address such matters. Through typological analysis, the authors also concluded that a substantial number of states, despite ratifying international treaties, only partially comply with the prohibition on the use of torture.

In summarising all of the above, it can be argued that the modern world faces a large number of international threats that pose a danger not only to certain countries or regions but are a real problem on a global scale. The current and effective resolution of potential and real threats requires a comprehensive analysis of various criminal offences and legal systems, considering and relying on the practice of different countries and international organisations that regulate the relevant sphere of social relations.

Conclusions

This study determined that the unstable geopolitical situation in the world and the Baltic countries, particularly in Latvia, is a key reason for the constant need to improve the legal base in the field of strengthening security and preventing international threats. A more detailed discussion of the issue required the examination of specific areas of legislation. As a result, issues regarding the necessity of increasing responsibility within the framework of national regulation for violations of established prohibitions through participation in armed conflicts, recruitment, training, and sending

individuals to territories of armed conflicts in other countries were examined. Moreover, it was established that in the process of escalation of military conflicts, professional espionage activities, their organisation, and management are increasingly conducted.

In the study, the phenomenon of terrorism was investigated, and based on the relevant legislation, its definition was formulated, and all legally defined forms of activities that could lead to responsibility in the context of such activities were identified. Considering the special threat of terrorist activity to national and regional security, the study tracked the official position of the Latvian government on this phenomenon, ultimately demonstrating a vector towards international cooperation and systematic improvement of legal tools in this area. The analysis also delved into the concept of "war crimes", highlighting the nature of torture as a form of a criminal offence against humanity. It was found that in Latvian legislation, torture is primarily considered an element of other crimes. A classification of tortures was created, which should aid further research by scientists in comparison with other similar criminal offences, and also serve as an additional source for the legislator regarding issues of reforming the legal base in this area. The examination of the practices of the Human Rights Committee and the State Security Service of Latvia led to the conclusion that the justification and heroization of crimes against humanity and military aggression have become widespread in the country and the world, and therefore strengthening legal sanctions for such activities must be an appropriate step towards this negative trend. Equally important is that the study focused on legislative novelties in the field of security strengthening, including amendments to the Criminal Code of Latvia concerning violations of the prohibition on organising, conducting, and participating in military tactical training, establishing criminal liability for organising or leading espionage, and so on.

Further research in this area could focus on exploring preventive measures against international threats and improving mechanisms aimed at countering the spread of extraterritorial influence on their dissemination.

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Conflict of interest

None.

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Запобігання міжнародним загрозам у контексті вдосконалення правових засад національної та регіональної безпеки

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Анотація. Геополітичні виклики та потенційні інтегральні загрози поставили на порядок денний питання розробки стратегій та інструментів протидії ризикам і зміцнення безпеки. Метою дослідження є комплексна оцінка напрямів розвитку кримінального права в контексті підвищення національної та міжнародної безпеки. У дослідженні використано методи узагальнення, аналізу, систематизації та дедукції. У дослідженні оцінюється вплив російського вторгнення в Україну, яке на прикладі конкретних протиправних дій в Латвії виявило реальні ризики для національної безпеки Латвії та Балтійського регіону. Розглядаються злочини, пов'язані з порушенням заборони на участь у збройних конфліктах, організацією та проведенням військово-тактичних навчань, неприпустимістю надання допомоги іноземній державі в діях, спрямованих проти іншої держави. Зрештою, такий аналіз дозволяє виявити важливість і реальну загрозу цих кримінальних правопорушень для державної безпеки та визначити підходи до вдосконалення законодавства у цій сфері. Досліджується склад злочину «шпигунство», що в підсумку окреслює структуру такого протиправного діяння та його небезпеку. Значна увага приділяється розгляду катувань як злочину проти людяності, що здійснюється на основі національного та міжнародного законодавства. У результаті розглянуто еволюцію цього кримінального правопорушення, оцінено різні підходи до визначення цього явища, досліджено садизм як окрему форму катування, створено класифікацію подібних діянь, сформульовано різні види наслідків, які можуть бути заподіяні під час вчинення такого злочину. Практичне значення дослідження полягає у можливості використання його результатів правоохоронними органами для формування ефективних стратегій розвитку сучасних політико-правових інструментів запобігання міжнародним загрозам

Ключові слова: кримінальне правопорушення; збройний конфлікт; катування; шпигунство; воєнні злочини; відповідальність