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International legal mechanisms for ensuring public security and protecting public order under martial law

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Abstract: This study examines international legal mechanisms for ensuring public security and protecting public order during the implementation of martial law. The relevance of the research arises from the increasing frequency of emergency regimes in contemporary geopolitical conflicts and the need to balance state security measures with international human rights obligations. The purpose of the study is to analyse how international legal instruments influence the regulation of public security and law enforcement activities under martial law in different jurisdictions. The research applies a comparative legal approach combined with case study analysis and the examination of statistical indicators of crime rates and public order violations. The empirical scope includes Ukraine, Turkey, Thailand, Pakistan, and the Philippines, which represent diverse geopolitical and legal contexts of martial law implementation. The findings indicate that the introduction of martial law is often associated with changes in crime rates and public order violations; however, these dynamics vary significantly depending on institutional capacity, duration of emergency measures, and the level of political conflict. The analysis demonstrates that international legal frameworks, including human rights conventions and international humanitarian law, provide normative safeguards, yet their practical implementation remains uneven across national systems. The study highlights the importance of strengthening judicial oversight, improving coordination between civilian and military authorities, and harmonizing national legislation with international legal standards. These findings contribute to the development of more effective legal mechanisms for maintaining public security during emergency regimes while safeguarding fundamental rights.

Keywords: Martial Law, Emergency Governance, Public Security Law, International Human Rights Law, Law Enforcement Regulation, Emergency Legal Regimes, Comparative Constitutional Law

1. Introduction

The management of public safety and the maintenance of public order while implementing martial law presents a very current and substantial problem in international and comparative law today. Increasingly unstable geopolitical situations, armed conflict and major security threats are causing numerous nations to implement emergency legal regimes which will give the government temporary additional authority. One of the broadest emergency legal regimes, martial law, allows authorities to take extraordinary administrative, military and law enforcement measures to protect public safety and ensure national security. But the use of these extraordinary authorities must be conducted in compliance with international legal obligations, especially those based upon international human rights law and international humanitarian law. In this context, modern research also emphasizes the growing role of digitalization and technological governance in shaping security responses and administrative capacity during crises⁶.

International legal instruments establish normative limitations upon the implementation of emergency powers. International human rights treaties allow some derogations when emergencies occur; however, it is required that these derogations be lawful, necessary and proportional. The standards established by these treaties were designed to prohibit the concentration of too much power and to preclude emergency measures that would diminish or eliminate fundamental rights. Thus, the interaction between international legal standards and national emergency statutes has become a topic of interest to scholars and policymakers

⁶ SYDORCHUK, O., BASHTANNYK, V., TERKHAPOV, F., KRAVTSOV, O., AKIMOVA, L., & AKIMOV, O. Integrating digitization into public administration: Impact on national security and the economy through spatial planning. *Edelweiss Applied Science and Technology*, 2024, vol. 8, no. 5, pp. 747–759. <https://doi.org/10.55214/25768484.v8i5.1740>

alike. At the same time, contemporary scholarship highlights that cybersecurity and technologically mediated threat detection increasingly influence how states operationalize public safety under emergency conditions, thereby adding a new layer to legal regulation.⁷

Research has recently studied the various legal and institutional elements of martial law and emergency governance. Some of the recent research studies have analyzed the ways in which the protection of civil rights evolves while emergency regimes are implemented. These include studies concerning access to justice, property rights and labor rights⁸. There have also been other studies concerning the protection of property rights and the legal protections afforded during martial law in Ukraine, which illustrate the tensions that arise between security concerns and individual rights⁹. Another area of study includes the broader governance implications of emergency powers, including the roles of military authorities in counter terrorism operations and the legal lines dividing civilian and military institutions¹⁰.

Although there have been many contributions to the development of knowledge on emergency governance, much of the research to date has focused either on individual jurisdictions or specific elements of emergency governance. As examples, there have been studies analyzing risk-oriented approaches to economic security during emergencies¹¹, as well as studies on restrictions on the right to free expression during martial law¹². Studies concerning fiscal policy and economic resilience during martial law in relation to national stability and public administration¹³ have also been done. Although these studies provide useful information, few of them combine comparative legal analysis with empirical data related to public security and public order. In addition, recent interdisciplinary approaches demonstrate that artificial intelligence and automated systems are increasingly integrated into security governance, influencing decision-making, predictive capabilities, and enforcement mechanisms within both civilian and military domains¹⁴.

⁷ LYSENKO, S., BOBRO, N., KORSUNOVA, K., VASYLCHYSHYN, O., & TATARCHENKO, Y. The role of artificial intelligence in cybersecurity: Automation of protection and detection of threats. *Economic Affairs*, 2024, vol. 69, pp. 43–51. <https://doi.org/10.46852/0424-2513.1.2024.6>

⁸ PRYTYKA, Y.; IZAROVA, I.; MALIARCHUK, L.; TEREKH, O. Legal challenges for Ukraine under martial law: Protection of civil, property and labour rights, right to a fair trial, and enforcement of decisions. *Access to Justice in Eastern Europe*, 2022, vol. 3, no. 15, pp. 219–238. <https://doi.org/10.33327/AJEE-18-5.2-n000329>

⁹ NEKIT, K. The right to private property under martial law in Ukraine. *The Age of Human Rights Journal*, 2023, vol. 20, e7579. <https://doi.org/10.17561/tahrj.v20.7579>

¹⁰ BAEG, S. J. A legal review on military roles in the act on counter-terrorism and a proposal of the direction of amendment. *Korean Journal of Policy and Conflict*, 2023, vol. 32, no. 4, pp. 229–250. <https://doi.org/10.21181/kjpc.2023.32.4.229>

¹¹ SHOT, A. P. Risk-oriented approach as the basis for identifying and preventing threats to the state's economic security. *Business Inform*, 2023, vol. 9, pp. 56–63. <https://doi.org/10.32983/2222-4459-2023-9-56-63>

¹² SLAVKO, A.; ZAVHORODNIA, V.; DEGTYAREV, S. Freedom of expression under martial law. *International Journal of Media and Information Literacy*, 2023, vol. 8, no. 1, pp. 218–227. <https://doi.org/10.13187/ijmil.2023.1.218>

¹³ SHEIN, O. The role of budget policy in ensuring the economic security of Ukraine during the conditions of the state of martial law. *Economic Analysis*, 2023, vol. 33, no. 2, pp. 156–167. <https://doi.org/10.35774/econa2023.02.156>

¹⁴ KRUILOV, V., BOBOS, O., HNYLIANSKA, O., ROSSIKHIN, V., & KOLOMIETS, Y. The role of using artificial intelligence for improving the public service provision and fraud prevention. *Pakistan Journal of Criminology*, 2024, vol. 16, no. 2. Available at: https://www.researchgate.net/publication/380075055_The_Role_of_Using_Artificial_Intelligence_for_Improving_the_Public_Service_Provision_and_Fraud_Prevention (accessed on 28 November 2025).

There is a significant research gap remaining about how international legal mechanisms work in practice across jurisdictions during martial law. Additionally, relatively little attention has been given to the relationship between international legal standards and national legal systems as they relate to the shaping of law enforcement practices and public security outcomes during emergency regimes. Therefore, a comparative approach combining legal analysis with empirical data may help to better understand the effectiveness of international legal frameworks in regulating public order during martial law.

The primary hypothesis of this study is that although international legal mechanisms offer normative safeguards for the protection of civil rights during martial law, the application of these mechanisms within national legal systems differs greatly among jurisdictions. Differences in the application of international legal mechanisms may result in disparities in the protection of public order and fundamental rights during emergency regimes. This study analyzes the hypothesis through the combination of comparative legal analysis, case studies of several countries and statistical indicators relating to crime rates and public order infractions.

The objective of this study is to analyze international legal mechanisms to protect public safety and maintain public order during martial law and assess their application in various legal systems. To accomplish the objective of the study, the study will pursue the following goals: (1) Investigate the role of international agreements and legal norms in regulating martial law and emergency governance. (2) Analyze the operation of law enforcement agencies responsible for the protection of public order during martial law. (3) Identify legal problems in the integration of international obligations into national emergency laws.

2. Literature review

Legal Regulation of Martial Law and Emergency Governance is gaining increasing attention among scholars because of the escalating number of crises and violent conflicts. Scholars analyze martial law from four distinct viewpoints: administrative regulation; criminal law enforcement; the protection of civil liberties; and overall function of government institutions during an emergency. The results of the studies indicate that the success of emergency governance will depend upon the equilibrium between the public safety and the protection of essential rights.

A first group of studies addresses the legal regime for the participation of military organizations in preserving public order during crisis conditions. Baeg¹⁵ analyzes the legal regulation of military participation in counter terrorism activities and states that there needs to be clearer legal boundaries so that operational efficiency and legal certainty can exist. This study shows the significance of establishing the role of military authorities during crisis conditions but offers limited insight to the dangers resulting from the extreme militarization of civilian governance and the implications for civil liberties.

The second major research direction deals with the protection of basic rights and freedoms during martial law. Prytyka et al.¹⁶ analyzed the problems with the protection of the civil, property, and labor rights of citizens in Ukraine when martial law was declared. They found that emergency regimes of law had significant impacts on the performance of the judiciary and the implementation of all legal guarantees. Also, Nekit¹⁷ analyzed the changes in the legal protection of private

¹⁵ BAEG, S. J. A legal review on military roles in the act on counter-terrorism and a proposal of the direction of amendment. 2023. Ibid.

¹⁶ PRYTYKA, Y.; IZAROVA, I.; MALIARCHUK, L.; TEREKH, O. Legal challenges for Ukraine under martial law: Protection of civil, property and labour rights, right to a fair trial, and enforcement of decisions. 2022. Ibid.

¹⁷ NEKIT, K. The right to private property under martial law in Ukraine. 2023. Ibid.

property rights under martial law and identified contradictions between national security and the protection of private property. Both of these studies show the difficulty in achieving a balance between securing public safety and ensuring the rights of individuals in emergency conditions.

In addition to studying the regulation of emergency regimes and their legal bases, there are many scholars who examine the broader governance and policy implications of emergency regimes. Shot¹⁸, for example, proposed a threat-based approach to identifying risks to economic security and emphasized the role of preventive legal and administrative tools. This method of analysis contributes to our understanding of the management of economic risks during crises but does not deal with all of the issues connected with public safety and law enforcement methods. Research on fiscal policy during martial law also stressed the importance of maintaining economic stability and the effectiveness of public administration during emergency conditions¹⁹.

Other studies analyze specific legal freedoms that could be restricted by martial law. For example, the authors²⁰ analyzed restrictions on freedom of speech during emergency regimes and emphasized the need to ensure that such restrictions comply with international human rights norms. The study demonstrated that limitations on civil liberties must be implemented with adequate legal protections and judicial oversight to prevent the misuse of authority.

Beyond the national level, other researchers consider broader questions of international law and sovereignty in areas affected by conflict. Akhtar²¹ considered the interplay between international legal norms, human rights commitments, and the principle of self-determination in conflict-affected territories. Even though Akhtar's study did not consider martial law specifically, it provides valuable insights into the relationship between international legal norms and national governance in unstable political environments.

There are still many gaps in the current body of research. Much of the research conducted thus far either considers one legal system at a time or only examines specific aspects of emergency governance and compares them across multiple jurisdictions. Relatively few studies have empirically investigated the link between the legal frameworks regulating martial law and quantifiable measures of public security, i.e., crime rates or public order offenses. Additionally, the relationships between international legal mechanisms and national law enforcement practices during martial law have received inadequate attention.

Unlike prior studies that focused on individual jurisdictions or aspects of emergency governance, the current research utilizes a comparative methodology that combines the legal analysis with empirical data indicating the degree of public security. By analyzing several jurisdictions with varying political and legal systems, the study seeks to provide a broader perspective regarding how international legal mechanisms affect the regulation of public order during martial law and how those mechanisms might be enhanced in order to improve both the governance of security and the protection of civil liberties.

3. Methodology

¹⁸ SHOT, A. P. Risk-oriented approach as the basis for identifying and preventing threats to the state's economic security. 2023. *Ibid.*

¹⁹ SHEIN, O. The Role of budget policy in ensuring the economic security of Ukraine during the conditions of the state of martial law. 2023. *Ibid.*

²⁰ SLAVKO, A.; ZAVHORODNIA, V.; DEGTAREV, S. Freedom of expression under martial law. 2023. *Ibid.*

²¹ AKHTAR, Z. Kashmir's right to self-determination: UNSC resolutions, human rights violations, and culpability under international law. *Athens Journal of Law*, 2023, vol. 9, no. 1, pp. 139–172. <https://doi.org/10.30958/ajl.9-1-7>

3.1. Research design

The design of this study employed a mixed methodology (combining legal comparative analysis with empirical data) as an analytical tool to analyze both the legal regulations (of martial law) and the empirical manifestations (of public security and/or public order) of martial law within various jurisdictions.

This method enables the researcher to compare the theoretical and practical application of international legal mechanisms that regulate martial law.

By combining legal comparative analysis with empirical observation, the researcher will be able to understand better how international legal norms are applied and interpreted by national authorities during emergency regimes. These stages are presented in Figure 1.

Phase one involved analyzing all the relevant international legal instruments which govern states of emergency and martial law. Phase two involved conducting comparative legal analysis of national legal frameworks that regulate martial law in selected jurisdictions. Phase three involved conducting case studies of selected countries to assess how martial law is actually implemented in practice. Phase four involved analyzing empirical indicators such as crime rate and public order violation statistics to identify any patterns or trends that may occur during periods when martial law is in place.

Finally, phase five involved interpreting the results in light of international legal norms that govern emergency powers.

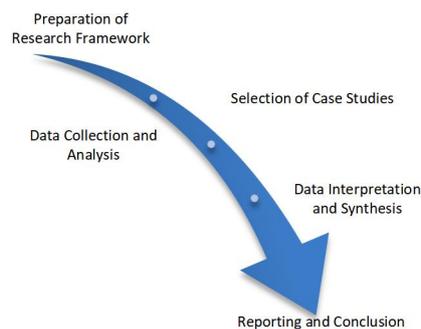


Figure 1. Research design. Source: developed by the authors based on MiniTAB²².

3.2. Sampling

Purposive sampling was employed to select the countries that would be compared in this research. Purposive sampling is a method of selection used by researchers to compare particular cases that are especially pertinent to the research questions being investigated. A total of five jurisdictions will be examined as part of this research; these are Ukraine, Turkey, Thailand, Pakistan and the Philippines. These five countries were selected as each country has a distinct geopolitical environment, legal tradition and history of implementing martial law.

Martial law was established in Ukraine as a response to external military invasion. Martial law was established in Turkey as a response to internal political turmoil and as a result of security threats. Martial law was established in Thailand during periods of political crisis in its legal system. Emergency regimes have been utilized in Pakistan and the Philippines in response to internal conflict and/or insurgency.

²² MINITAB. "Data analysis, statistical & process improvement tools". Available at: <https://www.minitab.com/en-us/> (accessed on 28 November 2025).

The use of five countries for comparison in this research will allow the authors to illustrate variations in political regimes, legal systems and security conditions while at the same time providing a manageable level of data. However, the authors also recognize that the use of only five countries may create the possibility of selection bias in addition to limiting the ability to generalize the results of this research. The objective of the comparative analysis of the countries in this research is to establish commonalities and institutional differences in how international legal mechanisms regulating martial law are applied.

4. Methods

4.1. Comparative legal analysis

Comparative legal analysis was employed to analyze the legal structures for the regulation of martial law within the selected countries. The comparative legal method of analysis examines national statutes, constitutionally provided protections for citizens, and international obligations for the conduct of emergency governance. The comparison will focus on the division of authority among the civilian and military branches, the legal protections for the individual rights of citizens, and the legal or parliamentary oversight mechanisms. Through a comparison of these legal structures, this research will highlight the similarities and differences between how the international legal standards for the conduct of emergency governance are integrated into the domestic legal system of each country.

4.2. Case study analysis

Case study analysis was employed to study how martial law functions at the level of national practice. The case studies involved an examination of all applicable laws and regulations, governmental orders which declared martial law, official government policy positions, and court decisions relative to emergency governance. Beyond an examination of documentation and official policy, this research also employed semi-structured interviews to gain context for the operation of martial law at the national level.

This research utilized semi-structured interviews with three distinct groups of respondents: (1) academic specialists in international law and/or constitutional law (7 respondents); (2) military or national security personnel who were responsible for conducting emergency governance (6 respondents); and (3) law enforcement personnel who had direct experience enforcing public order during emergency regimes (5 respondents).

The interviews took place between 2023 and 2024 via online communications (i.e., Zoom and Microsoft Teams). Semi-structured interviews were employed to maintain consistency in the interviews while also allowing the respondents to elaborate on institutional procedures and the legal challenges associated with martial law. The interview questions focused on three primary issues: the relationship between the military and civilian authorities; the protection of individual rights when martial law has been declared; and the influence of international legal standards on the development of emergency governance.

The interview data were analyzed using thematic qualitative analysis. The responses were coded according to recurring themes relative to legal protections, institutional coordination, and practical challenges associated with maintaining public order. The interviews were primarily utilized to provide contextual insight and were not intended to produce results that could be considered representative in a statistically based conclusion.

4.3. Statistical data analysis

In order to evaluate trends in crime rates and public order disruptions during periods of martial law, quantitative indicators were evaluated through the use of statistical data. The statistical data were derived from various publicly accessible sources, including international databases and national statistical portals. Some examples of publicly accessible sources include the United Nations Office on Drugs and Crime, the World Bank database, and the national statistical agencies of the respective governments.

Additional data sets, such as the Numbeo crime index and the World Population Review indicators, were also evaluated to supplement the identification of broad comparative trends. The authors recognize, however, that there may be methodological constraints inherent in these supplemental sources and therefore they must be cautiously interpreted. As such, these data sets are being employed within the framework of this study as approximate indicators of broader patterns in the dynamics of public security during emergency regimes and not as precise measures of those phenomena.

In evaluating descriptive statistics to summarize the data, the researchers employed correlation analysis to assess potential associations between the length of time of martial law and changes in crime rates. While it is possible to identify statistical associations, the researchers do not claim to have identified causality because there are many other variables which may impact the dynamics of crime during emergencies, including, but not limited to, the extent of violence during armed conflicts, the degree of disruption to the economy, and population displacement.

4.4. Instruments

Several computerized methods were employed to sort and analyze the data that was gathered. Excel, by Microsoft, was employed to prepare the data, clean it, and do some preliminary descriptive analyses. SPSS (Statistical Package for the Social Sciences), was employed to compute correlations among the variables used as indicators in the study and also to create graphic representations of the statistical indicators utilized in the study. Using these computer programs permitted the systematic treatment of the data and enhanced the clarity and replicability of the analytical procedures.

5. Results

The data for the empirical part analyzed trends of crimes committed (crime rates), violation of public order, and the usage of technical control and surveillance instruments while martial law was enforced in the selected cities. A comparative analysis of the ways in which different legal and institutional frameworks affect public safety during the period of a state of emergency is provided by the findings of the study. Please take notice that the statistical measures shown in the study illustrate patterns that can be seen, but do not show a direct cause and effect relationship between the occurrence of criminal activity and public disorder and other social/political phenomena such as the intensity of armed conflict, the degree of economic instability or the number of people displaced.

5.1. Crime rate trends during martial law

The data from Table 1 indicate there have been obvious differences in the way crime trends are being shaped since the inception of martial law; however the extent of those differences vary greatly by jurisdiction.

Crime rates have increased in all countries experiencing martial law; however, this increase is likely due to an increase in the number of police forces being used for military purposes as opposed to their normal duties. The same is true of several

other countries who have experienced similar patterns of redirection of law enforcement personnel from domestic crime fighting to military/counterinsurgency roles.

Table 1. Comparison of crime rates before and during martial law in the studied countries.

Country	Crime rate before martial law (per 100,000 people)	Crime rate during martial law (per 100,000 people)	Change (%)
Ukraine	150	180	+20%
Turkey	130	145	+11.5%
Thailand	80	85	+6.25%
Pakistan	200	220	+10%
Philippines	170	190	+11.8%

Source: developed by the authors based on Numbeo,²³ World Population Review²⁴.

For example, while both Turkey and the Philippines had moderate increases in reported crime rates they also experienced significant political unrest and social mobilization during the periods of time when they were under emergency rule. Thailand has followed a somewhat different pattern. They experienced a very small increase in crime rates. It is possible that the reason for this trend is the fact that military authority was present throughout the country during the period of emergency rule and thus maintained a level of public order. Pakistan demonstrated a moderate increase in crime rates. It is possible that this is due to internal security challenges and the pressure on law enforcement agencies to respond to them.

These patterns are compared in Figure 2 in terms of crime rate trends across the five jurisdictions.

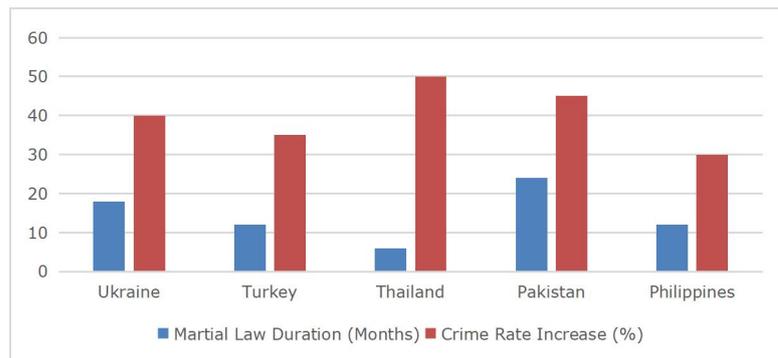


Figure 2. Impact of martial law on crime rates in the studied countries (Crime rate per 100,000 people). Source: developed by the authors based on World Bank²⁵, United Nations Office on Drugs and Crime²⁶.

In Ukraine, organized crime and violent crime intensified despite the increased presence of military and law enforcement agencies. Martial law may have weakened traditional legal mechanisms, thereby contributing to increased criminal activity. In Turkey, there has been a moderate increase in crime rate, indicating an increase in public order violations, despite increased security measures. Frequent imposition of

²³ NUMBEO. "Crime index by country 2025". Available at: https://www.numbeo.com/crime/rankings_by_country.jsp (accessed on 28 November 2025).

²⁴ WORLD POPULATION REVIEW. "Violent crime rates by country". 2023. Available at: <https://worldpopulationreview.com/country-rankings/violent-crime-rates-by-country> (accessed on 28 November 2025).

²⁵ WORLD BANK. "Data. The World Bank". Available at: <https://data.worldbank.org> (accessed on 28 November 2025).

²⁶ UNITED NATIONS OFFICE ON DRUGS AND CRIME. "Home. United nations office on drugs and crime". Available at: <https://www.unodc.org> (accessed on 28 November 2025).

martial law in response to internal conflicts may have contributed to an increase in criminal behaviour. In Thailand, a slight increase in crime indicates the effectiveness of legal mechanisms and law enforcement strategies during martial law. Frequent use of martial law in the face of political instability provides a more controlled environment and increases the readiness of law enforcement agencies. In Pakistan, there has been a steady increase in crime rates, reflecting the difficulties in combating terrorism and organized crime. Despite the improvement of law and order, martial law does not solve deep-rooted socio-political problems. In the Philippines, a significant increase in crime indicates increased law enforcement and increased number of public order violations, accompanied by civil rights violations and legal abuses.

5.2. Public order violations during martial law

In addition to analyzing crime rates in relation to the introduction of martial law, the study also examined indicators of disturbances to public order (protests, riots and other civil disturbances). The indicators of disturbances to public order are important for providing an understanding of how society reacted to the imposition of martial law. In addition to analyzing crime rates in relation to the introduction of martial law, the study also examined indicators of disturbances to public order (protests, riots and other civil disturbances). The indicators of disturbances to public order are important for providing an understanding of how society reacted to the imposition of martial law.

Table 2. Number of public order violations before and during martial law.

Country	Violations before martial law	Violations during martial law	Change (%)
Ukraine	120	180	+50%
Turkey	100	130	+30%
Thailand	70	65	-7.14%
Pakistan	50	70	+40%
Philippines	150	190	+26.7%

Source: developed by the authors based on National Security and Defence Council of Ukraine²⁷, Adalet Bakanlığı²⁸, Government of Pakistan²⁹, World Bank³⁰.

The data show that there is typically a rise in public order offenses when a country introduces martial law as it does so when the country has a political dispute or social unrest. Ukraine and Pakistan have shown the greatest increase in civil disturbances and this reflects how emergency government creates a complex relationship with public safety issues. In Turkey there is an increased number of civil disturbances during emergency governments but it could be seen as a result of civil society and political opposition becoming mobilized to resist the regime. Thailand shows a decrease in civil disturbances and this suggests that the strict administration and curfew rules imposed may be responsible for a reduction in the number of disturbances reported. The examples above illustrate the importance of institutional and enforcement mechanisms in determining public order under martial law.

²⁷ NATIONAL SECURITY AND DEFENCE COUNCIL OF UKRAINE. "Official website of the national security and defence council of Ukraine". Available at: <https://www.rnbo.gov.ua/en/> (accessed on 28 November 2025).

²⁸ ADALET BAKANLIĞI, T. C. İstatistikler. Türkiye cumhuriyeti adalet bakanlığı. 2025. Available at: <https://istatistikler.uyap.gov.tr> (accessed on 28 November 2025).

²⁹ GOVERNMENT OF PAKISTAN. "Pakistan government portal". Available at: <https://pakistan.gov.pk> (accessed on 28 November 2025).

³⁰ WORLD BANK. "The World Bank in the Philippines". Available at: <https://www.worldbank.org/en/country/philippines> (accessed on 28 November 2025).

Figure 3 illustrates the trend of civil disturbance and public order offenses under martial law in the countries listed below.

Ukraine has seen a significant increase in civil disorder in the early stages of martial law, associated with protests and riots against government policies and external threats. Over time, law enforcement measures may reduce the number of violations, but the level will remain higher than before the war. Turkey has seen a steady increase in civil disorder, especially during periods of political instability. Protests and acts of disobedience against the military government are typical of the early stages of martial law. Thailand has seen a decrease or stabilization in violations because of strict curfews and restrictions on public gatherings. However, fluctuations are possible in regions with active political movements. Pakistan experiences a sharp increase in the number of violations at the beginning of martial law because of military repression. The number of incidents may decrease over time. In the Philippines, violations increase significantly in the early stages due to opposition movements, but may stabilize or increase because of violations of civil rights.

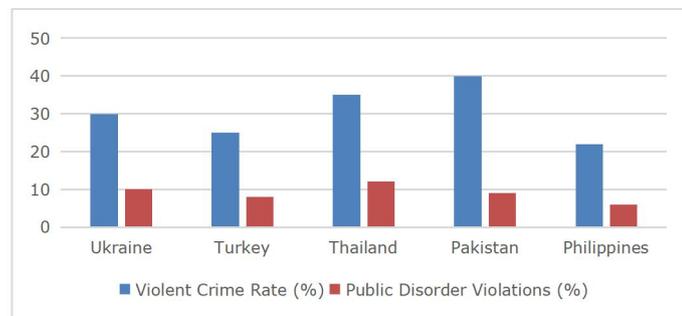


Figure 3. Violations of public order during martial law (number of cases of public order violations). Source: developed by the author based on Amnesty International³¹, International Crisis Group³², Office of the Director of National Intelligence³³.

5.3. Technological monitoring and public security

Additionally, the research examines how governments utilize digital technology to enhance public safety when in a state of martial law. Governments are increasingly using a variety of digital technologies (surveillance systems, drones, etc.) to monitor public spaces and prevent incidents involving safety.

As compared to each other, the studied governments have different levels of utilizing technological tools for monitoring. For example, countries with advanced technological infrastructure, like Turkey and Pakistan, are significantly relying on digital surveillance technologies to monitor and possibly suppress large gatherings, identify possible threats to public safety, and coordinate law enforcement activities.

In addition, Ukraine also employs technological monitoring systems during martial law, especially in areas where there is an ongoing armed conflict. Technological monitoring systems provide situational awareness and facilitate

³¹ AMNESTY INTERNATIONAL. "Five things to know about martial law in the Philippines". 2022. Available at: <https://www.amnesty.org/en/latest/news/2022/04/five-things-to-know-about-martial-law-in-the-philippines/> (accessed on 28 November 2025).

³² INTERNATIONAL CRISIS GROUP. "February trends and March alerts". Available at: <https://www.crisisgroup.org/crisiswatch/february-trends-and-march-alerts-2025> (accessed on 28 November 2025).

³³ OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE. "Global Trends 2040: A More Contested World". 2021. Available at: https://www.dni.gov/files/ODNI/documents/assessments/GlobalTrends_2040.pdf (accessed on 28 November 2025).

cooperation among military and civil authorities at the operational level. However, use of these technologies may lead to violations of the rights of citizens to privacy and freedoms.

Technological monitoring tools are distributed across the countries studied in Figure 4, which illustrates the extent of digital security technologies employed by governments during martial law.

The graph provides a visual comparison of changes in the implementation of digital technologies in different countries during martial law. For example, Turkey and Pakistan have a significantly greater impact on public safety due to the active use of surveillance systems and cybersecurity measures. The Philippines, focusing its efforts on counterinsurgency, demonstrates a high reliance on drones and surveillance. The data from Thailand reflects a history of military coups and the integration of digital technologies to restore public order during political instability. Ukraine has a medium level of implementation of these technologies, as martial law was declared in response to external threats, in particular the war with Russia.

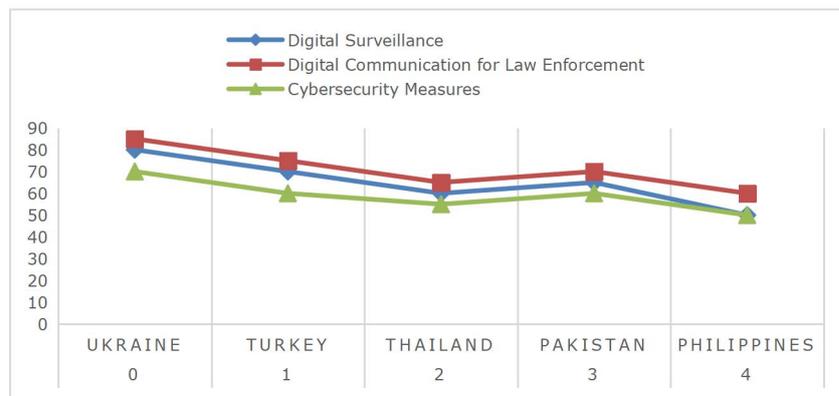


Figure 4. The impact of digital technologies on public safety during martial law. Source: developed by the author based on U.S. Institute of Peace³⁴, Department of Defence³⁵.

5.4. Duration of martial law and crime dynamics

The study also investigated the relationship between the length of time a martial law regime was in effect and the degree to which it influenced variations in criminal activity. As indicated in Figure 5, the results of the correlation analysis show that jurisdictions with longer emergency regimes have larger changes in crime indicators.

Countries such as Pakistan and the Philippines, which have had extended emergency rule, show greater increases in crime rates than countries which have had a short emergency period, or those that have limited emergency powers. It is however important to note that crime patterns under martial law are shaped by many other factors, including economics, institutional capacity, and the level of security threat faced.

Overall, the study demonstrates that the relationship between martial law and public safety outcomes is both complex, and dependent on context; specifically

³⁴ U.S. INSTITUTE OF PEACE. "US-China Rivalry in Asia and Africa: Lessons from the Cold War". 2024. Available at: https://www.usip.org/sites/default/files/2024-06/sr-530_us-china-rivalry-asia-africa-lessons-from-cold-war.pdf (accessed on 28 November 2025).

³⁵ DEPARTMENT OF DEFENCE. "2023 military and security developments involving the People's Republic of China". 2023. Available at: <https://media.defense.gov/2023/Oct/19/2003323409/-1/-1/1/2023-MILITARY-AND-SECURITY-DEVELOPMENTS-INVOLVING-THE-PEOPLES-REPUBLIC-OF-CHINA.PDF> (accessed on 28 November 2025).

institutional structure, practice of governance, and the socio-political environment, all influence the effects of emergency legal regimes on crime rates and public order.

Further, and in detail, an interpretation of the study's findings and their implications for international legal frameworks for martial law will be provided in the next section.

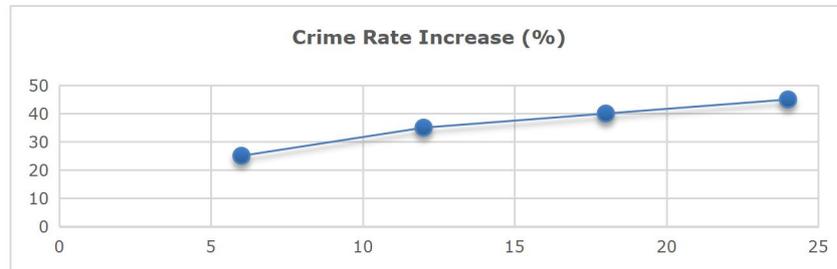


Figure 5. Correlation between duration of martial law and crime rate (increased crime rate versus duration of martial law). Source: developed by the author based on Social Science Statistics³⁶, DataTab³⁷.

6. Discussion

This study's findings illustrate how complicated the relationships between emergency governance, public safety and civil liberties under martial law can be. The comparative analysis shows that the introduction of martial law is often followed by significant changes in criminal activity as well as incidents of public disorder; however, the magnitude of those changes varies greatly from one jurisdiction to another, and reflects different levels of institutional capacity, legal structures, and social and political climates. Thus, the findings of this study confirm that whether martial law will be successful at maintaining public order depends not only on the legal framework governing emergency regimes, but also on the real-world functions of law enforcement and oversight bodies.

These results confirm previous research demonstrating the need for clear legal regulations governing emergency powers. Baeg³⁸ states that in order to prevent institutional conflicts of authority as well as potential breaches of civil rights, clearly defined legal limitations must exist when military personnel are involved in maintaining internal security. The study supports the validity of this assertion, especially in areas where the division of duties between civilian and military authorities may undermine traditional methods for managing public order. Therefore, the lack of clear process-oriented protections may exacerbate existing tensions between security organizations and the civilian populace.

The results of this study are also in line with other studies that have examined the effect of martial law on the protection of civil rights. Prytyka et al.³⁹ argue that the establishment of emergency legal frameworks can have a considerable impact on the function of judicial bodies and the implementation of guarantees of civil rights. Similarly, Nekit⁴⁰ has demonstrated that the protection of property rights become more difficult during martial law due to the expansion of the powers of

³⁶ SOCIAL SCIENCE STATISTICS. "Pearson correlation coefficient calculator". Available at: <https://www.socscistatistics.com/tests/pearson/> (accessed on 28 November 2025).

³⁷ DATATAB. "Correlation calculator". Available at: <https://datatab.net/statistics-calculator/correlation> (accessed on 28 November 2025).

³⁸ BAEG, S. J. A Legal Review on Military Roles in the Act on Counter-Terrorism and a Proposal of the Direction of Amendment. 2023. Ibid.

³⁹ PRYTYKA, Y.; IZAROVA, I.; MALIARCHUK, L.; TEREKH, O. Legal Challenges for Ukraine under Martial Law: Protection of Civil, Property and Labour Rights, Right to a Fair Trial, and Enforcement of Decisions. 2022. Ibid.

⁴⁰ NEKIT, K. The Right to Private Property under Martial Law in Ukraine. 2023. Ibid.

government agencies. The findings of this study provide evidence supporting these assertions, demonstrating that changes in criminal patterns and public disorder incidents occur simultaneously with institutional pressure being placed on legal and administrative systems during emergency governance.

On the other hand, the findings of this study indicate that the relationship between martial law and public safety cannot be fully explained through the lens of legal frameworks. Social and political factors including, political unrest, economic uncertainty, and the severity of security threats may also considerably affect the dynamics of public order in emergency regimes. For example, countries that experience active armed conflict or an internal insurgency are likely to show greater fluctuations in crime statistics than jurisdictions where martial law is implemented mainly for preventative or administrative reasons.

The study also illustrates that new types of technological monitoring systems play an increasing role in maintaining public safety during emergency regimes. Governments are increasingly relying upon monitoring technologies, digital monitoring platforms, and analytical software to monitor and manage public space, and identify possible security threats. Although these technologies may assist with improved coordination between security organizations, they also raise important legal issues related to privacy and conformity to international human rights norms. As stated by Akhtar⁴¹, the interaction between state sovereignty and international legal commitments may become even more critical during times of security measures when the scope of government surveillance expands.

A final finding of this study is the duration of emergency regimes. The comparative analysis indicates that longer durations of martial law may be correlated with greater fluctuations in crime rates and public disorder incidents. This correlation could be reflective of institutional fatigue in law enforcement agencies, the changing behavior of the public during prolonged crises, or the diversion of government resources towards military priorities. These findings are supported by the broader body of research on emergency governance, which notes that long term emergency regimes may generate structural tensions between the achievement of security goals and democratic governance.

From a legal standpoint, the findings of this study underscore the necessity of improving institutional mechanisms that regulate the exercise of emergency powers. Judicial oversight, parliamentary control, and independent monitoring mechanisms are necessary to ensure that martial law actions are consistent with international legal standards. Additionally, the convergence of national law with international human rights norms may reduce the risks associated with an over-concentration of power during emergency governance.

In conclusion, the findings of this study add to the current academic discussion regarding the legal regulation of emergency regimes. By integrating comparative legal analysis with empirical indicators of public safety, the study demonstrates that the success of martial law is dependent on the interrelationship of legal frameworks, institutional capacity, and broader social and political conditions. Future research may continue to examine the long term effects of martial law on democratic institutions, the level of trust in law enforcement agencies held by the public, and the development of international legal mechanisms to govern emergency regimes.

6.1. Limitations

Despite the contributions of this study there are a number of significant limitations which should be recognized. First, the comparative analysis is based on a very limited number of case studies (five) from different geopolitical contexts and

⁴¹ AKHTAR, Z. Kashmir's Right to Self-Determination: UNSC Resolutions, Human Rights Violations, and Culpability under International Law. 2022. Ibid.

legal traditions. Therefore, while it may be useful to examine comparative patterns in this regard, the study has not been designed to provide universally applicable conclusions about the impact of martial law upon public security.

Second, the empirical indicators utilized within the analysis have been obtained from various secondary statistical sources. Although international databases and national statistical portals have been accessed where possible, some of the indicators analyzed have been developed from publicly available datasets which may include methodological inconsistencies. Accordingly, the statistical results should be regarded as indicative trends rather than exact measures of changes in crime during martial law.

Third, the qualitative aspect of the research has involved conducting expert interviews with law enforcement practitioners, national security officials and legal scholars. These interviews were extremely helpful in providing context but because they were conducted with a limited number of respondents the data collected were not capable of producing statistically representative conclusions. Consequently, the interview data were primarily used to support the interpretation of institutional practices and legal problems associated with martial law.

Finally, the analysis has focused largely on the legal and institutional aspects of martial law and has not fully considered other socio-economic factors that may also contribute to crime levels and public order during emergencies. For example, factors including the level of armed conflict, the extent of economic disruption and the amount of population displacement can also have an important impact on public security outcomes.

6.2. Recommendations

The findings of this research suggest a number of avenues for enhancing the legal framework of martial law and for protecting public order under emergency regimes. First, countries should strengthen the harmonization of their national emergency legislation with internationally accepted legal norms. When domestic laws are aligned with international human rights obligations, it is possible that such emergency powers will be used only as necessary and within legally permissible bounds.

Second, the effectiveness of martial law governance may be enhanced by developing strong institutional mechanisms of oversight. These may include independent judicial review, parliamentary oversight, or monitoring by international organizations. Such oversight mechanisms could help prevent abuse of emergency powers while continuing to provide a high level of public confidence in government institutions.

Third, governments must also invest in the professional training of those law enforcement agencies which are primarily responsible for maintaining public order during emergency regimes. Training programs that combine specialized knowledge of how to operate in emergency conditions with international human rights norms and operational security practices will likely improve the ability of these law enforcement institutions to respond to emergencies in an effective manner.

Fourth, as digital technologies become increasingly prevalent in public security management, there is a need for greater clarity regarding the legal regulations governing surveillance and data collection during martial law. The establishment of clear, publicly transparent legal frameworks for the use of surveillance technologies would enable a better balance between the operational needs of security institutions and the protection of individual privacy and civil liberties.

Lastly, there is a need for increased international cooperation among states and international organizations to establish common standards for emergency governance. Through multilateral dialogue and legal coordination, it may be

possible to develop a more consistent international approach to regulating martial law and to ensure respect for fundamental rights.

7. Conclusions

The challenges of establishing an effective framework for the regulation of public security and maintenance of public order under martial law have become significant issues for all contemporary legal systems. This study provides evidence that the use of martial law has been determined by the interplay of international legal standards, national legal frameworks and the capacities of state authorities.

This study illustrates the variations in the application of the principles contained in international legal instruments designed to protect the rights of individuals in times of crisis. The application of the principles contained in international legal instruments concerning individual rights vary widely from one jurisdiction to another.

This study provides examples of the empirical evidence regarding changes in crime rates and public order resulting from the imposition of martial law in five jurisdictions (Ukraine, Turkey, Thailand, Pakistan and the Philippines). While changes in crime rates and the characteristics of public disorder have been identified, these changes have been found to be inconsistent across jurisdictions and to be influenced by a range of contextual variables including the level of threat to security, the capacity of state authorities to respond and the length of time over which emergency governance is exercised.

While the findings of this study demonstrate that there is no guarantee of success with respect to the achievement of the objectives of martial law unless the necessary institutional safeguards are in place, the study identifies the importance of the existence of a clear legal framework which sets out the respective roles of the civilian and military authorities in the governance of emergencies. The study emphasizes the importance of judicial oversight, parliamentary scrutiny and independent monitoring in preventing the abuse of emergency powers and ensuring compliance with international legal standards.

Finally, this study identifies the increasing use of technology to monitor public security during emergency regimes. Technologies used to monitor public security include surveillance technologies, digital platforms for the collection and analysis of information and data analysis software. At the same time, the increasing use of technologies to collect and analyze information about individuals raises concerns about the need for new legal standards to regulate the use of such technologies to prevent violations of individual privacy and international human rights.

In conclusion, the results of this study demonstrate that the relationship between martial law and the outcomes of efforts to maintain public security is complex and will be influenced by a variety of factors in each jurisdiction including the nature of its system of government, the structure of its institutions and the relevant legal tradition. The adoption of national laws and regulations consistent with international legal standards governing emergency governance may assist in enhancing the legitimacy and effectiveness of martial law regimes.

Future research on the effects of emergency governance on democratic institutions and public confidence in the ability of law enforcement agencies to maintain public security would contribute to our understanding of the implications of emergency governance. Additional comparative studies examining the application of martial law in other jurisdictions would help identify best practice in terms of the regulation of martial law while protecting fundamental rights. Research on the regulation of new forms of surveillance technologies employed in emergency governance contexts could assist in identifying more equitable approaches to public security governance.

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