

МАТЕРІАЛИ

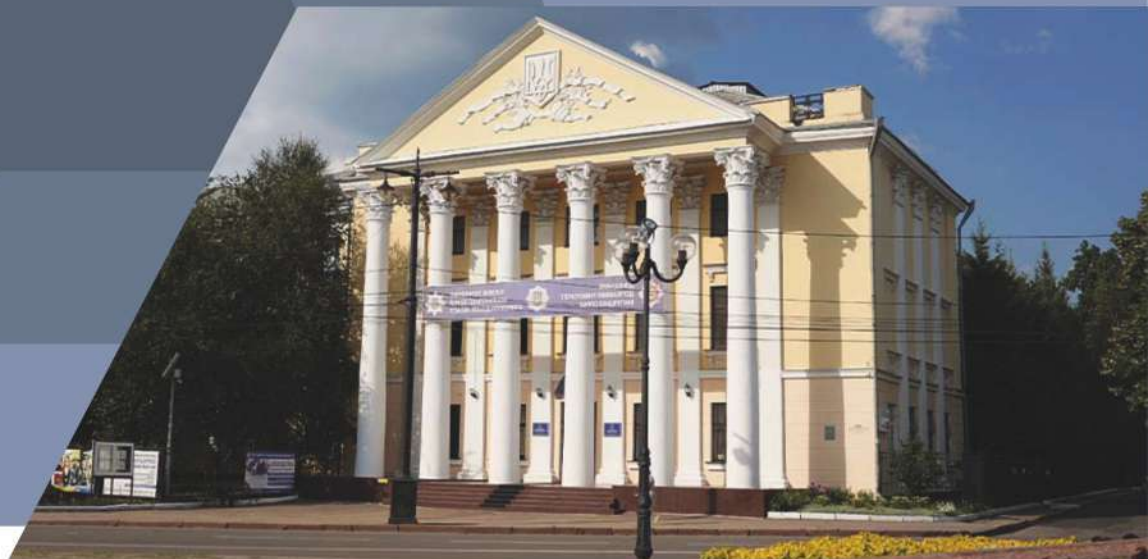
VII Всеукраїнської науково-практичної
курсантської (студентської)
конференції іноземними мовами

**ПРАВООХОРОННІ ОРГАНИ НА ЗАХИСТІ
ПРАВОПОРЯДКУ ТА КОНСТИТУЦІЙНИХ СВОБОД
В УМОВАХ МИРУ ТА ВОЄННОГО СТАНУ**

**LAW ENFORCEMENT AGENCIES: THE DEFENSE
OF PUBLIC ORDER AND CONSTITUTIONAL
FREEDOMS DURING PEACE AND MARTIAL LAW**

**RECHTSPFLEGEORGANE: DIE GEWÄHRLEISTUNG
DER ÖFFENTLICHEN ORDNUNG UND DER
MENSCHENRECHTE UNTER BEDINGUNGEN
DES FRIEDENS UND DES KRIEGSRECHTS**

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м. Кропивницький



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Правоохоронні органи на захисті правопорядку та конституційних свобод в умовах миру та воєнного стану: збірник матеріалів VII Всеукраїнської науково-практичної курсантської (студентської) конференції іноземними мовами. Кропивницький: ДонДУВС, 2024. 295 с.

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Друкується на основі матеріалів VII Всеукраїнської науково-практичної курсантської (студентської) конференції іноземними мовами «Правоохоронні органи на захисті правопорядку та конституційних свобод в умовах миру та воєнного стану», яка відбулася 23 лютого 2024 року на базі Донецького державного університету внутрішніх справ.

Видання розраховане на здобувачів першого (бакалаврського) та другого (магістерського) освітніх рівнів вищої освіти.

Кафедра іноземних мов ДонДУВС не несе відповідальності за практику використаних мовних норм та поданих фактів в авторських матеріалах.

ШАНОВНІ УЧАСНИКИ ТА УЧАСНИЦІ КОНФЕРЕНЦІЇ!

Від імені всієї родини Донецького державного університету внутрішніх справ радий вітати Вас із відкриттям щорічної, VII Всеукраїнської науково-практичної конференції «ПРАВООХОРОННІ ОРГАНИ НА ЗАХИСТІ ПРАВОПОРЯДКУ ТА КОНСТИТУЦІЙНИХ СВОБОД В УМОВАХ МИРУ ТА ВОЄННОГО СТАНУ», яка проводиться у лютому, так трапилося, що до річниці початку повномасштабного вторгнення росії на територію незалежної України!

Це вже стало традиційним, що наші молоді науковці на початку календарного року проводять свій науковий форум для обговорення результатів проведеної науково-дослідної роботи.

Вже два роки Україна виборює у війні з росією своє право на незалежність, свободу, демократію, суверенітет та вільне життя. Саме річниця з дня початку російської збройної агресії зумовила вибір теми наукового заходу. Діяльність правоохоронних органів в умовах воєнного стану є однією зі складових забезпечення державної безпеки в цілому. Крім того ефективна діяльність на дипломатичному фронті спрямована на залучення міжнародної підтримки.

У своєму вступному слові я хочу привернути увагу присутніх до розвитку науково-пізнавальної діяльності у процесі підготовки нових поколінь співробітників правоохоронних органів для досягнення успіхів у їх майбутній роботі у світлі вимог до сучасної правоохоронної діяльності. Від того, наскільки ефективно будуть захищатися права, свободи та інтереси громадян, залежить авторитет держави в цілому. Тому сучасний етап розвитку Національної поліції України, як ніколи раніше, потребує рішучого підвищення результативності науково-дослідної роботи в системі відомчої науки, яка обов'язково повинна бути пов'язана з актуальними практичними проблемами.

Наукова робота курсантів і студентів є невід'ємною складовою частиною наукової діяльності Донецького державного університету внутрішніх справ. Розширення міжнародних зв'язків з метою розвитку держави передбачає належне володіння іноземними мовами. Майбутні правознавці та правоохоронці повинні бути професіоналами в різних сферах. Повинні виявляти готовність до професійної комунікації. Саме тому в нашому університеті протягом багатьох років приділяється особлива увага формуванню іншомовної комунікативної

компетентності. Постійно здійснюється співпраця з закордонними університетами та міжнародними організаціями.

Цього року до організаційного комітету надійшло 120 тез наукових доповідей іноземною мовою з різних ЗВО України, у яких ви звертаєте увагу на найбільш гострі проблеми сучасної науки та правоохоронної діяльності. Їх буде презентовано у збірці тез доповідей учасників конференції.

Ми з повагою і гордістю ставимося до наших авторів, до вас, друзі. Всі ви є наполегливими здобувачами, не байдужими до гострих проблем сьогодення. А це є запорукою якісної наукової і практичної діяльності.

Сподіваюся, що конференція сприятиме формуванню і вдосконаленню наукової думки, виробленню нових концептуальних підходів у справі протидії злочинності в усіх її новітніх проявах.

Бажаю нашим молодим науковцям плідної праці та досягти успіхів у розвитку науки іноземними мовами!

СЛАВА УКРАЇНІ!!!

**Ректор
Донецького державного університету
внутрішніх справ**

Сергій ВІТВИЦЬКИЙ

SIGNIFICANCE OF THE PRACTICE OF THE EUROPEAN COURT OF HUMAN RIGHTS IN THE FORMATION OF UNIFORM PRACTICE IN ADMINISTRATIVE JUDICIAL PROCEDURE

Ukraine is resolutely on the path of European integration, determining the direction of its development. The Association Agreement between Ukraine and the European Union certifies the political and economic cooperation of both parties and requires Ukraine to implement reforms in the justice and conform its legislation to the European standards.

The European vector of integration is designed to bring Ukraine closer to acquire communication with EU. The integration with Europe assumes that all branches of legislation are based on the principle of the rule of law, and also requires changes in political, executive and legal structures to ensure and protect human rights, which is why the national judicial procedure uses the practice of the European Court of Human Rights (hereinafter referred to as the ECHR).

The practice of the European Court of Human Rights is applied in the administrative judicial procedure of Ukraine. This is provided both in Art. 9 of the Constitution of Ukraine, according to which the current international treaties, accepted as binding by the Verkhovna Rada of Ukraine, are part of the national legislation of Ukraine [1], and in Art. 8 of the CAS of Ukraine (hereinafter referred to as the CASU), as well as other normative acts of Ukraine. Thus, in accordance with Part 2 of Art. 8 of the CASU, the court applies the principle of the rule of law, taking into account the judicial practice of the European Court of Human Rights [2].

We consider it necessary to pay attention to the essence of the practice of the ECHR. Consequently, K.V. Andrianov believes that there are significant legal grounds for rejecting the idea of precedential nature (in the narrow sense) of decisions of the European Court [3, p. 41].

First, according to the provisions of the Convention, the decisions of the Court are considered acts of application and interpretation of the Convention, without having the status of a separate source of law, as it is the case in the judicial precedent in England. The Court's decisions do not fill gaps in the legal system, but only specify the content of existing convention norms.

Secondly, it is noted that one of the main principles of the English doctrine of precedent is the obligation for each court to follow the decisions of the higher court in the hierarchy. This is different from the approach of the European Court, which is not an appeal or cassation instance in relation to the national courts, and therefore it does not have such influence.

Thirdly, it is indicated that the previous decisions of the Court are not binding during the consideration of subsequent cases according to the official position of the Court. Nevertheless, there are opposing points of view regarding the legal nature of the decisions of the European Court as a source of law.

V.E. Skomoroha believes that the authority of the Court and its powers in the interpretation of the Convention make its decisions binding for the formation of national courts of the member countries of the Council of Europe, including Ukraine [4, p. 3–4].

L.Yu. Gizhdivan claims that the decisions of the Court are binding for the member states of the Convention, and all of them are considered as precedents due to the stare decisis principle, which requires following the precedent law of the Court by the states [5, c. 8]. As a result, the practice of the European Court of Human Rights is quite ambiguous regarding the impact on the national judicial procedure.

Despite all that was mentioned above, it is worth noting that the practice and principles of the European Court of Human Rights help to stabilize and unify administrative judicial procedure, ensuring the unity and consistency of legal practice in the field of human rights protection. The implementation of the principles and standards defined by the European Court helps national courts to form a modern and effective system of justice. This approach also contributes to the development of pan-European legal practice, which is a key factor in ensuring the protection of the rights and freedoms of citizens in administrative judicial procedure. And taking into account the authority of the Court and its recognized status, its decisions become an important element in the formation of pan-European legal practice.

Therefore, the European Court of Human Rights contributes to the coherence and unification of practice in the administrative judicial procedure of national courts in the context of the protection of human rights. Based on the principles of the Convention, the Court's approach should be considered an important tool for the formation of common practice and maintaining a unified system of justice in Europe.

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Анотація

У тезах розглядається вплив Європейського Суду з прав людини на адміністративний судовий порядок в Україні у контексті європейської інтеграції. У розрізі Асоціаційної угоди між Україною та Європейським Союзом, розглядається необхідність реформ в правосудді та узгодження законодавства з європейськими стандартами. Визначається, що судова практика Європейського Суду з прав людини використовується в адміністративному судочинстві в Україні. При цьому ставиться питання про юридичну природу рішень Суду та їх вплив на національну судову систему. Аналізуються різні точки зору щодо обов'язковості та впливу рішень Європейського Суду, наголошуючи, що вони допомагають стабілізувати і уніфікувати адміністративне судочинство та сприяють розвитку пан-європейської правової практики в контексті захисту прав і свобод громадян.

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MARTIAL LAW AND PROTECTION OF CONSTITUTIONAL HUMAN RIGHTS IN UKRAINE

In the context of conflicts, the problems of respect, observance, realization and protection of human rights acquire different dimensions than in peacetime, the awareness of which allows us to define clearly the focus of law enforcement agencies on the use of appropriate legal instruments [1].

Before addressing the main issue of the topic, it is necessary to define the rights of citizens that are violated during martial law. In wartime, the most basic human rights, especially the right to life, are practically defenseless. Murders and bodily injuries, abductions of people in the occupied territories, forced deportations, torture and inhuman treatment, rape and other forms of violence are direct violations of both the right to life and the rights to dignity

and inviolability. The human right to health care is also violated, both by the inability to access medicine and by causing damage to health as a result of injuries, etc. Damage or destruction of property, as well as the fact that a person was deprived of his or her own home or could not leave the occupied territories as a result of the war; can also be considered a violation of human rights. During the war, children are unprotected, they can be separated from their parents, loose access to education, medicine, etc. and this is a violation of children's rights [2].

As for the police, they are obliged to prevent violations and restore (including recording cases of violation of citizens' rights, investigating them and bringing perpetrators to legal responsibility) the following rights:

- 1) the right to life;
- 2) prevention of torture, cruel, inhuman or degrading treatment or punishment;
- 3) the right to property;
- 4) the right to liberty and security of person (mainly concerns the release of hostages and the restoration of their rights, ensuring the rights of children, in particular, recording cases of illegal transfer of Ukrainian children by the occupiers to the territory of the Russian Federation for adoption);
- 5) the right to legal aid;
- 6) freedom of peaceful assembly and association [1].

Providing the police with a clearly defined list of human rights under martial law is an extremely important task. This is due to the fact that these rights are most often violated as a result of active hostilities and the occupation of certain regions and settlements. It is important to note that during martial law, the number of "standard" administrative and criminal offenses has significantly decreased. It is due to a number of objective factors: the introduction of curfews, the presence of checkpoints, the increased presence of police and military forces in public places, and the large number of displaced persons.

In view of the above, the priority areas of police activity to ensure the rights of citizens during martial law, which are caused by the effect of this legal regime introduced as a result of a full-scale invasion of the territory of our state, are:

- 1) recording and qualification of war crimes in Ukraine;
- 2) protection of public order and ensuring public security;
- 3) investigation of war crimes in conditions of active hostilities;
- 4) detection of cases of unlawful acts against children;
- 5) use of modern information technologies, systems and means of information protection;
- 6) demining the territories and buildings;
- 7) psychological support of the police activities under martial law and provision of primary psychological assistance to various categories of citizens by police officers.

Of course, these areas are not limited to the activities of the police, but, in our opinion, they are key ones, as they are aimed at ensuring the widest possible range of citizens' rights violated as a result of the military invasion of Ukraine [1].

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Анотація

Автор розглядає питання захисту конституційних прав людини у діяльності поліції під час воєнного стану.

Під час воєнного стану найголовніші права людини порушуються країною-агресором. Органи поліції роблять багато речей, таких як: фіксація та кваліфікація воєнних злочинів в Україні, охорона публічного порядку та забезпечення публічної безпеки, розслідування воєнних злочинів в умовах активних бойових дій та інше щоб захищати та допомагати людям у такий важкий час.

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PROBLEMS OF PROTECTION OF CONSTITUTIONAL RIGHTS AND FREEDOMS OF CITIZENS OF UKRAINE UNDER THE TIME OF SETTLEMENT OF THE ARMED CONFLICT IN DONBAS

An analysis of the norms of the current legislation of Ukraine, which are intended to be carried out to ensure the protection of the constitutional rights and freedoms of Ukrainian citizens under the time of the conflict in the east of Ukraine, allows us to claim that the issue is their guarantees and realizations are regulated in sufficient detail for such a category citizens of Ukraine, as military personnel and employees, formed in accordance with the laws of Ukraine, military formations that defended independence, sovereignty and territorial integrity of Ukraine and took a direct part in the anti-terrorist operation (ensuring its carrying out) [1].

But as a result of the military aggression of the Russian Federation against Ukraine it also happened that several fundamentally new ones

appeared in our country social groups of people who also need state protection and support [2]. These are peaceful (civilian) citizens who did not take direct action participating in an armed conflict, but suffering as a result of hostilities and lack of opportunity to protect one's rights, including the population living in the conflict zone, among them:

disabled persons who received a disability as a result of injuries or others health injuries received in areas of hostilities;

persons who received injuries or other health damage in the district's military operations, but did not receive disability;

family members of citizens who died (missing) or died as a result of injury or other health damage received in the districts hostilities;

persons who suffered exclusively material losses arising from areas of hostilities;

internally displaced persons.

Note that the right to life in war conditions is almost defenseless. The decisions of international and national courts regarding the observance of the right to life during armed conflicts do not always bring clarity, as they often become the basis of threats for governments to stop participating in international mechanisms for the protection of human rights. Mechanisms for protecting the right to life need improvement. On October 30, 2018, the UN Human Rights Committee adopted General Comment No. 36 to Art. 6 of the International Covenant on Civil and Political Rights, where he tried to solve the main problems related to the protection of the human right to life. But, despite the adoption of such an important act, many questions still remain open [3].

Article 2 of the Convention on the Protection of Human Rights and Fundamental Freedoms states that everyone's right to life is protected by law. No one may be intentionally deprived of his life except in execution of the death sentence of a court, pronounced after finding him guilty of a crime for which the law provides for such punishment.

Deprivation of life shall not be considered to be committed in violation of this Article if it is the result of an exclusively necessary use of force:

-to protect any person from unlawful violence;

-to make a lawful arrest or to prevent the escape of a person lawfully detained;

-when taking lawful actions to suppress a riot or insurrection [4].

Література:

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Анотація

Право на життя в умовах війни є майже беззахисним. Рішення міжнародних і національних судів щодо дотримання права на життя під час збройних конфліктів не завжди вносять ясність, оскільки часто стають основою погроз для урядів припинити участь у міжнародних механізмах захисту прав людини, отже, потребують вдосконалення механізми захисту права на життя.

Baranovska V.

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Науковий керівник – Ю.В. Кривицький

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ACTIVITY OF INTERNAL AFFAIRS BODIES DURING MARTIAL LAW

Martial law is a special legal regime imposed in Ukraine or in certain localities in the event of armed aggression or danger to Ukraine's state independence, territorial integrity. It provides the relevant public authorities with the powers necessary to avert threats and ensure national security Today, martial law is a special mode of activity of public authorities and other state bodies in Ukraine in exceptional cases related only to external circumstances - the need to repel aggression against Ukraine or prevent the imminent threat of aggression. Features of the organization of law-enforcement bodies activity concerning public protection order in martial law is determined by current legislation, primarily the Law of Ukraine "On the legal regime of martial law [1].

Psychological training of personnel, special physical and professional training and hardening are important. With a high general readiness of personnel to act in martial law, even the sudden emergencies will not put the police in a difficult position. Protecting public order under martial law, law enforcement agencies use such methods of social settlement as persuasion and coercion, in particular, administrative termination. The mechanism of persuasion involves a set of different means, forms and methods of influencing the consciousness and behavior of people. Legal persuasion should be practiced by law enforcement officers who are well versed in the law, have authority and respect among the population. Explanatory work can be combined with coercion, when it is necessary to protect some important objects, to ensure the blockade of the area, to document illegal activities, to

establish identity. Administrative termination measures are the most common group of administrative coercion and can be used to interrupt both criminal acts and administrative offenses. Giving the police the right to use administrative measures such as the use of weapons, measures of physical influence, special means, the Law of Ukraine "On National Police" provides that they are used to ensure public order, public safety and fight crime [2].

Police officers who perform duties related to the protection of public order in martial law must know the organization and tactics of law enforcement agencies in such conditions, tasks, functions, forms and methods of policing, decisions of local authorities on public protection procedure, current legislation, in particular that regulates the activities of law enforcement agencies in martial law. That is, the extreme complexity of maintaining public order in martial law requires high professional training of law enforcement officers. The actions of law enforcement agencies in martial law must be legally competent, perceived by citizens whose rights and freedoms are restricted as fair and lawful. Illegal actions by law enforcement officers can cause significant harm. Therefore, it can be concluded that the internal affairs bodies carry out activities on behalf of the state, whose place and role during martial law is to realize national interests in combating military threats. The effectiveness of methods of ensuring martial law largely depends on the flexibility and dynamism of the use of forces and means of internal affairs. At the same time, it is important to improve the forms and methods of interaction between the police and the public in ensuring the martial law regime.

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Анотація

У тезах розглянуто діяльність правоохоронців, які виконують обов'язки з охорони громадського порядку в умовах воєнного стану. Наголошується, що вони повинні знати організацію і тактику діяльності органів внутрішніх справ у таких умовах, завдання, функції, форми і методи діяльності поліції, рішення органів місцевого самоврядування з питань порядку громадської охорони, чинне законодавство.

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THE CRUCIAL ROLE OF FOREIGN LANGUAGE PROFICIENCY IN LAW ENFORCEMENT DURING PEACETIME AND MILITARY CRISIS

In today's interconnected world, the importance of foreign language proficiency for law enforcement agencies cannot be overstated, ranging from peacetime operations to times of military crisis. This essay explores the significance of linguistic skills for law enforcement officers operating in both scenarios.

Knowledge of foreign languages is not only the possibility of successful employment or simply the possibility of free movement Europe and the world, first of all, this is a change in worldview. Today, it is impossible to imagine higher professional education without high-quality foreign language training. The challenges of the modern world encourage us to revise and improve the priorities and areas of professional training of future law enforcement specialists, to form the necessary skills, among which the knowledge of a foreign language occupies a special place

During peacetime, law enforcement officers equipped with foreign language skills enhance their ability to communicate effectively with diverse communities. This linguistic competence fosters trust, facilitates information gathering, and promotes community engagement. In multicultural societies, the ability to communicate in different languages enables law enforcement to address the needs of various ethnic and linguistic groups, thereby promoting social cohesion and harmony.

Moreover, in the context of transnational crime and global security threats, foreign language proficiency becomes a strategic asset. Criminal enterprises often operate across borders, necessitating cooperation between law enforcement agencies from different countries. Officers proficient in foreign languages can seamlessly collaborate, share intelligence, and coordinate efforts to combat organized crime, terrorism, and cyber threats.

In times of military crisis, the role of foreign language proficiency becomes even more critical. Law enforcement agencies may be called upon to support military operations, and officers with linguistic skills can effectively liaise with international military forces, local populations, and humanitarian organizations. Clear communication in a crisis situation is paramount, and officers fluent in relevant languages can navigate complex scenarios with precision, ensuring the success of joint operations [2]

Furthermore, in peacetime, the benefits of foreign language proficiency extend beyond community engagement. Officers with language skills can play a crucial role in diplomatic relations and international cooperation, fostering positive interactions with law enforcement counterparts from different countries. This collaboration enhances the exchange of best practices, facilitates joint efforts in addressing cross-border issues, and contributes to the overall global security landscape.

Under martial law conditions, the ability to communicate in foreign languages becomes a strategic asset for law enforcement tasked with handling complex situations. Whether dealing with civil unrest or coordinating efforts in a crisis, officers with linguistic skills can navigate challenging environments more effectively. Clear and precise communication is paramount during times of heightened tension, and foreign language proficiency ensures that law enforcement can respond promptly and accurately to evolving circumstances.

In conclusion, the importance of knowing foreign languages for law enforcement agencies transcends borders and scenarios. The ability to communicate in diverse languages enhances community relations, strengthens international collaboration, and empowers law enforcement officers to navigate the complexities of both peacetime and martial law conditions. As our world becomes increasingly interconnected, the value of linguistic proficiency among law enforcement personnel remains indispensable for maintaining public safety and upholding the principles of justice on a global scale.

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Анотація

У сучасному світі, в якому мають місце військові конфлікти та інші виклики для правоохоронних органів, важливість володіння іноземною мовою виходить на передній план. У роботі досліджується значення мовних навичок для співробітників правоохоронних органів, які працюють в різних умовах. Знання іноземних мов – це не лише можливість успішного працевлаштування чи вільного пересування Європою та світом. Насамперед, це зміна світогляду. Сьогодні неможливо уявити вищу професійну освіту без якісної іноземної мовної підготовки. Здатність спілкуватися різними мовами покращує стосунки між громадами, зміцнює міжнародну співпрацю та дає правоохоронцям змогу орієнтуватися в складнощах умов мирного часу та воєнного стану.

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INTERNATIONAL STANDARDS OF LAW ENFORCEMENT ACTIVITIES IN PEACETIME AND UNDER MARTIAL LAW

In the course of performing their duties and within their competence, police officers may use preventive and coercive police measures, namely: physical impact, special means, firearms.

International human rights standards provide for restrictions on the police's powers to use coercion. This is confirmed by the Code of Conduct for Law Enforcement Officials of December 17, 1979, which states in Article 3 that law enforcement officials may use force only when strictly necessary and to the extent necessary for the performance of their duties. This provision emphasizes that the use of force by law enforcement officials must be exceptional; although it is understood that law enforcement officials may be authorized to use force when reasonably necessary in the particular circumstances to prevent a crime or to lawfully apprehend or assist and execute the lawful arrest of offenders or suspects; force beyond these limits may not be used [1].

The legality of the use of physical and psychological influence on an offender by a police officer is defined by the Criminal Code of Ukraine, namely Article 38(1) "Detention of a person who has committed a crime", Article 39 "Extreme necessity", Article 40 "Physical or mental coercion". If a police officer exceeds the measure of necessary defense (part 2 of Article 38) or the limits of extreme necessity (part 2 of Article 39), he or she is subject to criminal liability [2]. One of the most severe coercive measures is the use of firearms. It is extremely important that police officers comply with the requirements of the law when using this measure of coercion, as this will protect them from abuse of power and harm. The Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted in 1990, state that governments and law enforcement agencies should adopt and implement rules and regulations on the use of force and firearms against people by law enforcement officials. In developing such rules and regulations, governments and law enforcement agencies should keep under constant review the ethical issues surrounding the use of force and firearms. In the performance of their duties, law enforcement officials should use non-violent means to the extent possible before resorting to the use of force and firearms. They may use force and firearms only when other means are ineffective or unlikely to achieve the desired result. It also states that all law enforcement officials shall be selected through proper selection procedures, possess the necessary moral, psychological and physical qualities to perform their functions effectively and receive continuous and thorough training. Their suitability to perform these functions should be subject to periodic review [3].

The use of physical force, special means or firearms in excess of authority, as well as beyond the limits established by law, may lead to a

violation of personal inviolability. Such a violation may be qualified as a form of inhuman or degrading treatment or even torture. Moreover, if a police officer causes death to a person through the unlawful use of these means, such actions will be considered a violation of the right to life.

The Human Rights Department of the National Police of Ukraine was established to ensure the protection of human rights and freedoms in the performance of police tasks. The main tasks of the Department are to ensure control over the observance of human rights and freedoms by police officers, civil servants and other police officers in the provision of police services; organizational support and control over the work of temporary detention centers; organization of interaction of police bodies (units) with other public authorities, local governments, public associations, foreign (international) organizations on issues of equal rights and opportunities [4].

However, despite this, there are frequent cases of abuse of power by officials of the National Police of Ukraine, which leads to violations of human and civil rights and freedoms. Analyzing the annual report of the Ukrainian Parliament Commissioner for Human Rights and Freedoms in Ukraine for 2018, the right of a person not to be subjected to torture, cruel, inhuman or degrading treatment or punishment by the National Police of Ukraine is violated. According to the results of inspections of human rights observance in places of detention subordinated to the National Police of Ukraine, the greatest risks of being subjected to torture by individual law enforcement officers arise from the moment of actual detention.

Based on the results of the study, it can be concluded that the National Police's compliance with international human rights standards is conditioned by the signing of international agreements and the need to harmonize the principles of the National Police with international standards.

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Анотація

У роботі розглядається вплив міжнародних стандартів у сфері захисту прав людини на діяльність Національної поліції України. Згідно з результатами дослідження Національна поліція України повинна неухильно дотримуватися стандартів у сфері захисту прав людини під час реалізації своїх функцій. Мета роботи дослідити дотримання працівниками Національної поліції України міжнародних стандартів прав людини, визначити найбільш поширені порушення прав людини з боку окремих працівників Національної поліції та розробити рекомендації для зменшення таких порушень в майбутньому.

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SOME ASPECTS OF COOPERATION WITH EUROPOL IN THE INVESTIGATION OF WAR CRIMES

Since the beginning of the full-scale invasion of the territory of Ukraine, there has been a challenge in documenting and investigating war crimes. In order to address this properly, the necessity arose to establish an international operational group (OTF).

According to the data from the Europol website, cooperation in this aspect involves:

- Supporting investigations into war crimes through the Analysis Project Core International Crimes (AP CIC).
- Established an Operational Task Force of OSINT experts to assist investigations conducted by Ukraine, other countries, as well as the ICC, into war crimes committed in Ukraine [3].

Therefore, it is necessary to understand how assistance from Europol will impact further investigation of war crimes. In general, spurred by the conflict in Ukraine, CISED, a product of an amendment to the Eurojust Regulation effective from June 1, 2022, employs a centralized approach. This approach enables Eurojust to facilitate evidence exchange, uncover systemic actions behind individual offenses, provide guidance on prosecution strategies, and generate thematic analyses and reports on specific aspects of investigations into major international crimes, including sexual harassment

and gender-based violence. The database ensures secure transmission and storage to prevent evidence loss during conflicts. Early identification of parallel investigations enhances resource efficiency and minimizes the risk of legal errors. Maintaining a central overview of interviewed victims reduces the likelihood of re-victimization through repeated interviews. Only competent national authorities can voluntarily submit information or evidence [3]. So, with the introduction of CISED, the Agency has implemented a customized judicial database to securely preserve, store, and analyze evidence related to core international crimes. Technical solutions for the secure transmission and storage of evidence have been implemented, and an advanced analysis module will be incorporated in the coming months.

As noted Liaison Prosecutor for Ukraine at Eurojust, Ms Myroslava Krasnoborova, commented: 'While the damage caused by the Russian invasion can never be undone, we can make sure that those responsible are brought to justice. Setting up the joint investigation team has been a real game-changer in the accountability efforts and Ukraine welcomes the support received from Eurojust so far. At the same time, it is our firm belief that impunity for the crime of aggression should never be accepted. Ukraine therefore strongly welcomes the decision to set up the ICPA at Eurojust, and hopes that this will accelerate the ongoing discussions about the eventual prosecution for this supreme international crime.' [4].

In our opinion, it is essential to highlight ICPA, whose goal is to enhance the investigation of the war crime of aggression, as scientists note, the crime of aggression is the easiest to prove [4]. The ICPA will be seamlessly integrated into Eurojust's existing support structure for the joint investigation team on Ukraine, ensuring optimal coordination between investigations into core international crimes and the crime of aggression. Implementation details are currently under discussion; prosecutors affiliated with the ICPA may operate from Eurojust on a semi-permanent basis while simultaneously conducting their domestic investigations in compliance with national law. Eurojust is poised to offer legal, operational, and logistical support [5].

Considering the aforementioned, we can conclude on the significant contribution of Europol and Eurojust to assisting our state (Figure 1) [2]:

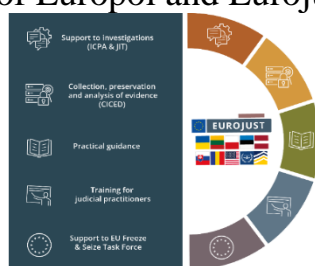


Figure 1

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Анотація

Тези торкаються питання ролі Європолу в розслідуваннях воєнних злочинів, скоєних на території України. Також розкривається питання важливості взаємодії правоохоронних органів України та Європолу в цьому контексті.

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SAFEGUARDING CONSTITUTIONAL HUMAN RIGHTS IN POLICE OPERATIONS WITHIN A ZONE OF ARMED CONFLICT

In the tumultuous landscape of armed conflicts, the protection of constitutional rights remains a paramount concern, especially in the context of police activities. This discourse delves into the intricate challenges and imperatives associated with preserving constitutional human rights amidst police operations within a zone of armed conflict. In regions marred by war, the conventional roles of law enforcement agencies undergo profound transformations.

Policing in conflict zones necessitates a delicate balance between maintaining public order and upholding the fundamental rights of individuals, often amidst chaotic circumstances. The exigencies of conflict can create an environment where the protection of constitutional rights becomes vulnerable.

Arbitrary arrests, unwarranted searches, and infringements on privacy are challenges that demand a nuanced approach to law enforcement activities [1].

Examining the legal frameworks that govern police conduct in conflict zones is crucial. Establishing a robust legal foundation that integrates international humanitarian law and human rights instruments becomes imperative to ensure accountability and adherence to constitutional principles. To fortify constitutional protections, there must be stringent mechanisms for accountability and oversight. Independent bodies tasked with monitoring police activities can act as bulwarks against potential abuses and reinforce the commitment to upholding human rights. Effective training programs for law enforcement personnel operating in conflict zones are essential. Sensitizing officers to the nuances of human rights and the unique challenges of their environment fosters a culture of respect and adherence to constitutional principles. Building trust between the police and local communities is pivotal. Community engagement initiatives facilitate a better understanding of the needs and concerns of the population, contributing to more empathetic and rights-conscious policing.

Collaboration on an international scale is indispensable in addressing the complexities of policing in conflict zones. Sharing best practices, intelligence, and resources among nations fosters a collective effort to protect constitutional rights in the face of adversity. The protection of constitutional human rights in the realm of police operations within a zone of armed conflict demands a multifaceted approach. Striking a delicate balance between maintaining security and upholding individual rights requires a comprehensive legal framework, robust accountability measures, continuous training, and international collaboration. Only through such concerted efforts can we aspire to mitigate the challenges and fulfill the imperative of safeguarding constitutional rights in the most challenging of circumstances [2].

Embracing technological advancements can enhance both the efficiency of law enforcement and the protection of human rights. Utilizing surveillance technologies responsibly and ethically, while respecting privacy, is pivotal in maintaining the delicate equilibrium required in conflict zones. Addressing the root causes of conflict and incorporating rehabilitation and reintegration programs into policing strategies is essential. By focusing on community development and addressing social grievances, law enforcement can contribute to sustainable peace while respecting constitutional rights. In the volatile environment of conflict, crisis intervention and de-escalation techniques are invaluable [3]. Training police forces to defuse tense situations without resorting to excessive force not only preserves human rights but also contributes to the overall stability of the region.

An informed citizenry is a powerful force in upholding constitutional rights. Public awareness campaigns and educational programs can empower individuals to assert their rights and hold law enforcement accountable,

fostering a culture of respect for human rights. The dynamic nature of conflict necessitates an adaptive approach. Law enforcement agencies operating in these zones must engage in continuous learning and refinement of strategies to align with evolving challenges while ensuring the protection of constitutional rights remains a top priority. In navigating the complexities of policing within conflict zones, a comprehensive and evolving strategy is imperative [4]. Technological integration, community-focused initiatives, crisis intervention training, and public education contribute to a holistic framework. By embracing adaptability and fostering international collaboration, we can endeavor to create an environment where the protection of constitutional human rights becomes an inherent part of law enforcement practices in zones of armed conflict. Only through such comprehensive efforts can we aspire to build a foundation of justice, stability, and respect for human dignity even in the most challenging circumstances [5].

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Анотація

Поінформоване громадянство є потужною силою у відстоюванні конституційних прав. Просвітницькі кампанії та освітні програми можуть надати людям можливість відстоювати свої права, тим самим сприяючи розвитку культури поваги до прав людини. Правоохоронні органи повинні брати участь у постійному навчанні та вдосконаленні стратегій, щоб відповідати мінливим викликам, забезпечуючи при цьому захист конституційних прав як головний пріоритет.

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FEATURES OF TRAINING INVESTIGATORS UNDER MARTIAL LAW

Nowadays, the activities of the military persons, firefighters, doctors and police are particularly important. In 2022, no one was prepared for a full-scale invasion. In particular, the investigators had many questions regarding the investigation of war crimes. That is why the educational program for those seeking higher education in the specialty "Law" has been changed. We propose to consider how the training of future investigators in institutions of higher education is currently taking place.

First of all, let's note that currently, in addition to the main articles of the criminal code that cadets study, special attention is paid to section 19 "Criminal offenses against the established order of military service". The most widespread of this section is Article 438 "Violation of the Laws and Customs of War", which provides that for the cruel treatment of prisoners of war or the civilian population, the expulsion of the civilian population for forced labor, the looting of national values in the occupied territory, the use of means of warfare prohibited by international law, other violations of the laws and customs of war provided for by international treaties, the binding consent of which was given by the Verkhovna Rada of Ukraine, as well as giving an order to commit such actions - are punishable by imprisonment for a term of eight to twelve years [1]. Also, future specialists are taught to classify correctly criminal offenses. So, for example, if in peacetime the qualification for committing theft was based on Part 1 of Article 185, now, during martial law, the qualification for such an offense is provided for by Part 4 of Article 185. No less important today is the criminal process. Law of Ukraine "On Amendments to the Criminal Procedure Code of Ukraine on Improving the Procedure for Conducting Criminal Proceedings in Martial Law" No. 2201-IX dated 04.14.2022 changed the title of Section IX-1 of the Criminal Procedure Code of Ukraine to "Special regime of pre-trial investigation, judicial consideration in the conditions of martial law". Thus, the legislator focused on the specifics of criminal procedural activity in the conditions of this particular legal regime [2, p. 7]. At the training sessions, future specialists study the order of actions at the scene of the incident, the rules for drawing up protocols, and describing war crimes.

It is important to pay attention to the procedure for investigating war crimes, special disciplines such as special physical training; tactical special training and fire training. Since the training plan has undergone changes, the physical training classes mostly study techniques in the event of an attack by an offender with a firearm in his/her hands, and endurance exercises have been

increased. Fire training is more extensive, as situations in hot spots can be different, and a police officer must know and understand how to protect himself/herself and others by being able to shoot accurately with different types of weapons.

Thus, in the conditions of martial law, the program of higher education graduates, who in the future will protect the rights and interests of citizens as investigators, was changed and expanded.

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Анотація

В умовах сьогодення довіра до поліцейських є як ніколи високою. Саме тому підготовка майбутніх слідчих проходить відповідно до умов воєнного стану. Зважаючи на умови сьогодення було внесено зміни до планів підготовки майбутніх правоохоронців із спеціальних дисциплін.

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ENSURING CHILDREN'S RIGHTS THROUGH POLICE COOPERATION WITH CHILDREN AFFAIRS AGENCIES

Child protection, which is understood as a system of state and public measures aimed at ensuring a full life, comprehensive upbringing and development of a child and protection of his or her rights, is defined by Ukrainian legislation as a strategic and national priority that is important for ensuring the national security of Ukraine and the effectiveness of the state domestic policy [1]. Childhood protection is aimed at ensuring the realization

of the child's rights to life, health care, education, social protection, comprehensive development and upbringing in a family environment.

The Law of Ukraine "On Bodies and Services for Children and Special Institutions for Children" of 24 January 1995, No. 20/95-BP defines the legal basis for the activities of bodies and services for children and special institutions for children, which are responsible for social protection and prevention of offences among persons under the age of eighteen [2].

The provisions of Article 1 of the Law of Ukraine "On Bodies and Services for Children and Special Institutions for Children" stipulate that social protection and prevention of juvenile delinquency is the responsibility of the following bodies:

- the central executive body responsible for the formation of the state policy in the field of family and children, the central executive body implementing the state policy in the field of family and children, the executive body of the Autonomous Republic of Crimea in the field of family and children, relevant structural units of regional, Kyiv and Sevastopol city, district state administrations, executive bodies of city and district councils in cities;
- authorized units of the National Police;
- reception centers for children of the National Police;
- schools of social rehabilitation and vocational schools of social rehabilitation of educational authorities;
- centers of healthcare institutions for medical and social rehabilitation of children;
- special educational institutions of the State Penitentiary Service of Ukraine;
- shelters for children;
- centers for social and psychological rehabilitation of children;
- social rehabilitation centers (children's towns) [2].

Social protection of children should be understood as a set of measures and means of a socio-economic and legal nature, the implementation of which is entrusted to the entities defined by the Law of Ukraine "On Bodies and Services for Children and Special Institutions for Children" to ensure the rights of children to life, development, upbringing, education, medical care, and material support.

One of the most urgent problems is preventing juvenile delinquency. Prevention of delinquency among children should be understood as the activities of bodies and services for children, special institutions for children, aimed at identifying and eliminating the causes and conditions that contribute to the commission of delinquency by children, as well as a positive impact on the behavior of children on the territory of Ukraine, in its separate region, in the family, at an enterprise, institution or organization, regardless of ownership, at the place of residence [2].

The activities of the authorized units of the National Police to ensure the rights of children are conditionally divided into the relevant powers of criminal police units, pre-trial investigation bodies and preventive activity

units [3, p. 14]. It should be noted that among police units, juvenile prevention units are responsible for planning and implementing preventive measures in the children's environment to prevent negative phenomena among children and taking measures to prevent and stop any unlawful acts against children.

The elements of preventive activities of police units among children and their social environment include

- prevention of administrative and criminal offences (general and individual ones);
- prevention of administrative and criminal offences (excludes the possibility of realizing criminal intentions);
- suppression of administrative and criminal offences (stops anti-social and criminal activities) [3, p. 31].

Police units are authorized to detect administrative offences committed by minors aged 16 to 18 years. The units also identify and bring to administrative responsibility adults who commit administrative offences that have a negative impact on the upbringing, education and development of both young and underage children.

Preventive activities of the subjects we have identified are also aimed at preventing negative phenomena in family upbringing of children. The concept of "difficult life circumstances" has been introduced into the sphere of social and legal education work with families, which is enshrined in the Laws of Ukraine: "On Protection of Childhood" [1] and "On Social Services" [4].

Difficult life circumstances are conditions that adversely affect the life, health and development of a person, the functioning of a family, which the person/family cannot overcome on their own [4]. When working with children living in families with difficult life circumstances, police officers, together with children's services and social services, focus their efforts on preventing difficult life circumstances, overcoming them and minimizing the negative consequences of difficult life circumstances, in particular, preventing children from being involved in illegal activities.

Our theoretical analysis of scientific works in the field of child protection allows us to agree with the conclusion that ignoring work with children and families with children in difficult life circumstances leads to negative phenomena, in particular: child exploitation, domestic violence, children running away from home (educational institution), children committing administrative or criminal offences [3, p. 49].

The above considerations lead to the conclusion that ensuring children's rights and child protection are among the priority areas of police work. The police, in accordance with the current legislation of Ukraine, in the course of their activities to ensure children's rights, interact with authorized entities.

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Анотація

Автор розглядає проблему забезпечення прав дітей та попередження злочинності серед неповнолітніх. Особлива увага приділяється важливості співпраці Національної поліції України з місцевими органами виконавчої влади в реалізації цих важливих питань.

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TRAINING OF FEMALE POLICE OFFICERS ON CRIMINAL INVESTIGATIONS AND HUMAN RIGHTS

The presence of women in policing lags well behind that of men. That persistent hiring deficit defies research spanning more than 50 years that well documents the benefits of women in policing. Women are consistently rated as trusted by their communities and, importantly, are motivated to serve communities in an era of decreased police legitimacy. Women have high levels of interpersonal communication skills, which translates into more effective practices in the field. Women are found to have a calming effect on male partners in high-stress and dangerous assignments, resulting in fewer police deaths. Higher levels of female representation are associated with organizations that emphasize community policing. Female police officers have a positive influence on the perceived job performance, trustworthiness, and fairness of a police agency, perhaps increasing the public's willingness to cooperate in the production of positive public safety outcomes. Female officers are less likely to use force, use excessive force, or be named in a lawsuit than male officers [1].

On average, in 2014, about 10% of women were members of the police force. And the main problem with such a small number of officers of the opposite sex is that they were not trained to use firearms and have driving skills. Police began familiarizing women and preparing their assessments for missions. These training courses included knowledge of languages, the ability to drive a vehicle and the ability to use firearms. The objective of such training is to protect civilians, in particular women, investigate, and encourage women to request legal procedures [2, p. 46]. These trainings took place in 6 different countries. Since the women's training initiative was launched in 2014, 660 female officers have been trained. After passing the test, officers had the right to be deployed to any United Nations peacekeeping operation in their language and request for their police experience. One of the trainers from the Selection and Recruitment Section in the Police Division, Nicoleta Cristache, noted that he was impressed by the determination and strong will of the women to succeed. He was also very grateful «for the help provided by the training center staff and the strong support expressed by the Government to deploy more female officers to UN peacekeeping» [1].

To sum up, women play a big role in policing. After all, they are needed during patrols and search operations, especially when searching for women. In some societies, only women police officers can interact with women members of the community. And communities may turn to a female officer more often than a male officer when it comes to sexual violence or gender inequality. In this way, they increase operational efficiency and help restore the confidence needed to restore the rule of law.

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Анотація

У тезах розглянуто питання про те, як проходять тренування жінок поліцейських з питань розслідування злочинів та прав людини. Встановлено, що до певного часу жінки не брали активної участі в діяльності правоохоронних органів. Тепер кількість жінок в структурі поліції збільшилась, а їхнє тренування проводиться по тій же програмі, що і чоловіків.

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PROTECTION OF CONSTITUTIONAL HUMAN RIGHTS IN POLICE ACTIVITIES DURING MARTIAL LAW

The armed aggression of the Russian Federation and its full-scale invasion of the territory of Ukraine forced the entire state apparatus and society as a whole to switch to operative functioning under the legal regime of martial law.

In general, martial law is a special legal regime that is introduced in Ukraine or in some of its localities in the event of armed aggression, as well as in other cases provided for by law, and provides for the granting of the relevant authorities the powers necessary to repel armed aggression and ensure national security. In this regard, it is also possible to temporarily limit the constitutional rights and freedoms of a person and a citizen due to a threat, with an indication of the period of validity of these restrictions.

However, despite all the complexities of modern realities, human rights are subject to exclusive protection. This is due to the fact that the provisions of the Constitution of Ukraine recognize a person, his life and health, honor and dignity, inviolability and safety as the highest social value.

The legal regulation of the protection of human and citizen rights during martial law is regulated by the following normative acts:

1. The Constitution of Ukraine (dated June 28, 1996).
2. Decree of the President of Ukraine No. 64/2022 "On the introduction of martial law in Ukraine"(dated February 24, 2022).
3. Law of Ukraine "On the Legal Regime of Martial Law" (dated May 12, 2015 No. 389-VIII) [1].

Protection of legal rights and freedoms of citizens is one of the key duties of the state. However, there are situations when their limitation is unavoidable and is carried out exclusively in the manner and by the means provided by the current legislation. Article 64 of the Constitution of Ukraine establishes exceptions under which individual restrictions on human rights and freedoms may be established. The introduction of martial law or a state of emergency directly acts as such a reason.

In accordance with Part 3 of Decree № 64/2022, during the period of martial law, the constitutional rights and freedoms of a person and a citizen, provided for by Articles 30-34, 38, 39, 41-44, 53 of the Constitution of Ukraine, may be limited, namely: - inviolability of housing; - secrecy of correspondence, telephone conversations, telegraphic and other correspondence; - non-interference in personal and family life, except for cases stipulated by the Constitution of Ukraine; - freedom of movement, free choice of place of residence, the right to freely leave the territory of Ukraine,

with the exception of restrictions established by law; - the right to freedom of thought and speech, to the free expression of one's views and beliefs; - the right to participate in the management of state affairs, in all-Ukrainian and local referendums, to freely elect and be elected to state and local self-government bodies; - the right to assemble peacefully, without weapons, and hold meetings, rallies, marches and demonstrations; - the right to own, use and dispose of one's property, the results of one's intellectual and creative activity; - the right to entrepreneurial activity, which is not prohibited by law; - the right to work; - the right to strike to protect one's economic and social interests; - the right to education.

Also, in accordance with the Law of Ukraine No. 389-VIII, labor obligation may be introduced for able-bodied persons who are not involved in work in the defense sphere and the sphere of ensuring the livelihood of the population and who are not reserved for enterprises, institutions and organizations during the period of martial law for the purpose of performing work that are defensive in nature [2].

The Ministry of Internal Affairs of Ukraine, the leadership of the National Police of Ukraine conduct planned classes and systematic explanatory work among the personnel, the purpose of which is to improve the quality of service of employees and ensure the unwavering observance of human rights during the implementation of law enforcement activities, which should be aimed at guaranteeing and ensuring compliance and citizens' unhindered exercise of their rights.

Ensuring law and order, curbing any illegal actions, protection of human rights and freedoms are entrusted to the National Police and are its urgent and primary tasks. Strict adherence to the law, transparency and openness in the activities of the police can serve as a guarantee of the public's trust in it. The level of public trust, in accordance with the Law of Ukraine "On the National Police", is the main criterion for evaluating the effectiveness of the activities of police bodies and units. Based on this, the requirements for a modern police officer are significantly increased. His educational level, general cultural level, training, ability to correctly and effectively apply his knowledge are the main conditions for becoming a policeman of a new formation, which, first of all, serves people, protecting and protecting their rights and freedoms [3].

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Анотація

Збройна агресія російської федерації та її повномасштабне вторгнення на територію України змусили весь державний апарат та суспільство в цілому перейти до оперативного функціонування в правовому режимі воєнного стану.

Загалом воєнний стан — це особливий правовий режим, який запроваджується в Україні або в окремих її місцевостях у разі збройної агресії, а також в інших випадках, передбачених законом, і передбачає надання відповідним органам повноважень щодо необхідні для відсічі збройній агресії та забезпечення національної безпеки. У зв'язку з цим можливе також тимчасове обмеження конституційних прав і свобод людини і громадянина у зв'язку з виникненням загрози із зазначенням строку дії цих обмежень.

Проте, незважаючи на всю складність сучасних реалій, права людини підлягають виключному захисту. Це зумовлено тим, що положеннями Конституції України людина, її життя і здоров'я, честь і гідність, недоторканність і безпека визнаються найвищою соціальною цінністю.

Мета статті є огляд захисту конституційних прав людини в діяльності поліції в період воєнного стану. Забезпечення правопорядку, припинення будь-яких протиправних дій, захист прав і свобод людини покладено на Національну поліцію і є її невідкладним і першочерговим завданням. Суворе дотримання законності, прозорість і відкритість діяльності міліції можуть слугувати запорукою довіри до неї з боку суспільства.

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INFORMATION AND ANALYTICAL ENSURING THE ACTIVITIES OF CRIMINAL ANALYSIS UNITS

Information and analytical support for the activities of criminal analysis units includes the collection, processing and analysis of information for the purpose of identifying trends and criminal schemes, as well as developing recommendations for crime prevention.

For the effective operation of criminal analysis units, it is necessary to have access to various sources of information, in particular, databases of state authorities and law enforcement agencies, open sources, social networks, etc. In addition, it is important to have a sufficient level of computer equipment and software for processing and analyzing the received information [1].

Analytical abilities of employees of criminal analysis units are a key element of successful work. They must have knowledge of information technologies, mathematical methods and statistics, as well as be well-versed in the field of crime and law enforcement.

The most common methods of information analysis are statistical analysis, crime trend analysis, geoinformation analysis, criminal profiling, and criminal scheme analysis. In addition, such methods as analysis of links between crimes and persons, analysis of social networks, use of artificial intelligence and machine learning [2] are used.

Criminal analysis units may also use information visualization techniques such as graphs, charts, maps, and other data visualization tools. This allows you to quickly and efficiently present information and identify dependencies and connections between various factors.

In addition to collecting and analyzing information, criminal analysis units can also carry out preventive work, for example, conduct training on combating crime, conduct explanatory work among the population about the characteristics of crimes and their manifestations, promote interaction with the public and involve it in solving criminal cases [3, p. 82].

In modern conditions, it is especially important to ensure cyber security while working with information. Criminal analysis units must ensure protection against cyber-attacks and abuses, apply encryption and other technical measures to preserve the confidentiality of data.

Information and analytical support for the activities of criminal analysis units is a complex and important process that involves the collection, processing and analysis of various information in order to identify criminal trends and manifestations. The effective work of criminal analysis units depends on the availability of highly qualified employees, modern computer equipment and software, as well as the use of modern methods of data analysis and ensuring cyber security. Other tasks that can be solved by units of criminal analysis include the identification of criminal groups and their structure, the study of the criminal situation in a certain region or on the territory of the entire country, the analysis of factors that contribute to the commission of crimes, and the development of measures to prevent them [4, p. 153].

Other tasks that can be solved by criminal analysis units include the identification of criminal groups and their structure, the study of the criminal situation in a certain region or on the territory of the entire country, the analysis of factors that contribute to the commission of crimes, and the development of measures to prevent them [5, p. 20].

One of the key functions of criminal analysis units is cooperation with other law enforcement agencies, such as the police, prosecutors, security services, customs and other services. This makes it possible to increase work efficiency and respond more quickly to criminal events.

In general, information and analytical support for the activities of criminal analysis units aims to ensure effective and quick detection of criminal manifestations, analysis of their causes and consequences, as well as development of measures to prevent crimes. Achieving these goals requires high qualification and professionalism of employees, modern equipment and software, as well as constant improvement of the level of provision of criminal analysis units with information and analytical tools.

In addition, criminal analysis units can participate in work on important cases that require in-depth analysis, for example, in the investigation of serial murders or acts of terrorism. In such cases, it is necessary to implement an individual approach to each case and use all possible means to solve the crime.

Information and analytical support for the activities of criminal analysis units is a very important element of the system of law enforcement agencies. It makes it possible to ensure effective protection of the rights and interests of citizens, increase the level of security and order in the country, and fight crime.

To ensure the effective operation of criminal analysis units, it is necessary to use modern information technologies and software tools. For example, information systems with the support of artificial intelligence and machine learning can be used to collect, analyze and process large volumes of data.

Also, an important element of information and analytical support is training and professional development of employees of criminal analysis units. Specialists must have sufficient knowledge and skills to work with various information technologies and software tools.

In addition, it is important to ensure the protection of confidential information that is the object of research by criminal analysis units. For this, various technical and organizational measures can be used, for example, data encryption, ensuring physical and logical security of information systems, data access control, etc.

All these measures make it possible to ensure the effective work of criminal analysis units and increase their contribution to ensuring security and order in the country.

Therefore, information and analytical support for the activities of criminal analysis units is an extremely important element of the system of law enforcement agencies. This makes it possible to ensure effective protection of the rights and interests of citizens, increase the level of security and order in the country, and fight crime. To achieve these goals, it is necessary to ensure the appropriate level of supply of criminal analysis units with the necessary information and analytical tools, to ensure their strengthening and constant

improvement. This is the only way to achieve maximum efficiency in the fight against crime and protection of the rights and freedoms of citizens.

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Анотація

Інформаційно-аналітичне забезпечення діяльності підрозділів криміналістичного аналізу є складним і важливим процесом, який передбачає збір, обробку та аналіз різноманітної інформації з метою виявлення злочинних тенденцій і проявів. Ефективна робота підрозділів криміналістичного аналізу залежить від наявності висококваліфікованих працівників, сучасного комп'ютерного обладнання та програмного забезпечення, а також використання сучасних методів аналізу даних та забезпечення кібербезпеки.

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ORGANIZATIONAL PRINCIPLES OF COMBATING CRIME BY CRIMINAL POLICE UNITS UNDER MARTIAL LAW

Combating crime is one of the main tasks of the National Police of Ukraine, which is prescribed in the Law of Ukraine "On the National Police", namely in Article 2 of this law:

"The tasks of the police are to provide police services in the following areas:

- 1) ensuring public safety and order;

- 2) protection of human rights and freedoms, as well as the interests of society and the state;
- 3) combating crime;
- 4) provision, within the limits defined by law, of assistance services to persons who, for personal, economic, social reasons or as a result of emergency situations, need such assistance" [3].

Thus, you and I can come to the conclusion that the police, as the central body of the executive power, in accordance with the assigned powers, performs a number of important tasks, one of which is combating crime. The criminal police, as one of the divisions of the National Police, is the main entity that documents, discloses and prevents the commission of criminal offenses. The key to the successful performance of such fundamental work is organizational principles, thanks to which the work of operatives is clearly ordered and regulated [1].

The conditions of martial law foresee an increase in the level of crime and threats to national security. In such conditions, certain features and organizational principles are introduced into the work of criminal police units.

In order to successfully combat crime, criminal police units must have clearly defined areas of responsibility and division of responsibilities among employees. In addition, it is important to organize an internal control system to prevent cases of corruption or other violations in the work of employees.

Criminal police units must have a sufficient level of material and technical base to ensure their activities. This means that workers must have access to the necessary equipment, means of communication, transportation and other resources.

In addition, criminal police units must ensure interaction with other services, such as the military police, the state border service, judicial authorities and others. Cooperation with these organizations helps to more effectively solve the tasks of combating crime and ensuring the safety of the population.

Finally, criminal police units must have a sufficient number of qualified personnel. This means that employees must have a high level of professional training and understanding of the peculiarities of work under martial law. Special training and courses can be held to improve the qualifications of employees.

The conditions of martial law are among the most difficult for the state and citizens. In such conditions, the criminal police have an important role in ensuring public safety and maintaining law and order.

The main functions of the criminal police under martial law:

1. Ensuring the safety of citizens and reducing the number of crimes - the first place is the protection of citizens from criminal encroachments. The criminal police must maintain order and ensure safety on the streets, ensure control over the objects of the city economy, which can be potential places of terrorist attacks.

2. Investigating crimes - during the eruption of war events and quarantine restrictions, most crimes occur in a limited space. The criminal police must investigate every case of crime and bring the perpetrators to justice.

3. Preventing terrorist acts - martial law can be a time when terrorist groups use chaos and panic to carry out their attacks. The criminal police must maintain a constant regime of surveillance and security in order to prevent terrorist attacks.

4. Cooperation with the armed forces and other services - martial law conditions require cooperation between all services. The criminal police must have good relations and co-operation with the armed forces, military police and other services to ensure security and order.

5. Information work - the criminal police must communicate well with mass media to cover the situation in the state and provide the public with the necessary information about the state of law and order and security.

All these functions dictate the need for intelligent, experienced and proactive criminal police officers who are able to lead and manage not only ordinary, but also emergency situations arising under martial law conditions. Criminal police have a real impact on the lives of citizens, and this is their responsibility [2].

Such organizational principles are an even distribution among local workers, thanks to which the operational commissioner has a defined territory in which he establishes agency relations, determines the operational situation and works directly with the population.

Therefore, as a conclusion, we can note that organizational principles are an important component in the organization of the activities of both the National Police in general and all its structural divisions.

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Анотація

Центральний орган виконавчої влади відповідно до покладених повноважень виконує низку важливих завдань, одним із яких є боротьба зі злочинністю. Кримінальна поліція, як один із підрозділів Національної

поліції, є основним суб'єктом документування, розкриття та запобігання вчиненню кримінальних правопорушень. Запорукою успішного виконання такої фундаментальної роботи є організаційні принципи, завдяки яким робота оперативників чітко впорядкована та регламентована.

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PREVENTION OF INTERNET FRAUD BY LAW ENFORCEMENT AGENCIES IN PEACETIME AND UNDER MARTIAL LAW

The relevance of this topic is more important than ever due to the fact that we use the Internet both in everyday life and in solving important issues related to the course of events at the front, information and social policy in the country and abroad, volunteer and charitable activities, etc. The Internet is the largest information and telecommunication system and systematizes information of various levels, has a system of protection against illegal actions by offenders. However, hacker attacks and attempts to obtain personal information make the Internet vulnerable and requires constant improvement of protection to prevent such offenses.

Internet fraud under martial law has its own peculiarities:

- fraudulent actions are committed online;
- fraud is committed during military operations on the territory of Ukraine;
- the vulnerability of the emotional state through speculation on people's feelings: empathy (fake accounts to help victims of armed aggression, assistance to the military), anger (donations for weapons, drones, etc.) are used;
- have a demand for vital services as evacuation from the combat zone, temporarily occupied territories, rental housing, purchase of bulletproof vests, fuel or spare parts for cars, payment programs for internally displaced persons, etc. [2].

O. Bryskovska emphasizes that in the context of the armed aggression of the Russian Federation, the vulnerability of the emotional state of the Ukrainians has increased, and criminals react to such changes and use the existing circumstances and current issues in their fraudulent schemes to create new conditions of social life [2, p. 176].

We agree with the opinion of V. Berezniak that it is necessary to draw the attention of relevant entities, in particular, specially authorized units in the field of combating cybercrime, to the creation of mechanisms that would protect confidential data of citizens from being used by fraudsters to commit a socially dangerous act, since educational work is not always effective due to

the low level of understanding by citizens of the principles of information space functioning [1, p. 191-192].

The Cybersecurity Department of the National Police of Ukraine, including during martial law, ensures the implementation of state policy in the field of combating cybercrime, organizes and carries out operational and investigative activities in this area in accordance with the law. The strategic tasks of the unit are to formulate and ensure the implementation of the state policy on preventing and combating criminal offenses committed with the help of electronic computers, systems and computer networks, as well as telecommunication networks by studying the mechanism of their preparation, commission or concealment, as well as participation in the prevention, detection and suppression of criminal offenses by other units of the National Police that do not have skills in combating cybercrime, but are involved in criminal proceedings with the above-mentioned method of commission [4].

According to T. Dibrova, the fight against cyber fraud in Ukraine is implemented in three main areas of activity:

- 1) prevention of cybercrime;
- 2) general organization of the fight against cybercrime and law enforcement activities aimed specifically at detecting, preventing and solving cybercrime
- 3) application of criminal liability measures and punishment of persons who have committed cybercrime [3, p. 549].

There are many platforms in Ukraine that inform citizens about fraudulent schemes and how to avoid becoming a victim of cyber fraud. For example, as part of the campaign, the Central Bank and its partners will inform citizens about how to protect themselves from payment fraud, in particular through the updated thematic website (landing page) "Shahrai Goodbye" with detailed information about the campaign and the rules of conduct in the virtual space. Once again, it should be emphasized that cybercrime has specific causes, and the fight against it also involves the use of specific means [3].

Thus, given the fact that the number of cases of online fraud has increased during martial law, it should be noted that prevention measures are not effective enough. Unfortunately, despite a significant number of preventive measures, computer-related criminal offenses do not decrease. This can be explained by the specifics of the tools used to commit them, as there is a problem in determining the mechanism of committing a criminal offense, identifying, recording and collecting evidence. In view of the aforesaid, the problem of interaction between services and units in order to bring offenders to criminal liability arises, since cases of unsolved fraud, unfortunately, are not an exception in the current practice of the National Police. The key body in the detection of computer-related criminal offenses is the Cyber Police Department of the National Police of Ukraine, which is responsible for the formation and implementation of state policy on preventing and combating criminal offenses committed through electronic

computers, systems and computer networks, as well as telecommunication networks, by studying the mechanism of their preparation, commission or concealment.

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Анотація

Актуальність даної теми в умовах сьогодення є важливою як ніколи у зв'язку із тим, що Інтернет використовується нами як у повсякденному житті, так і у вирішенні важливих питань, пов'язаних з перебігом подій на фронті, проведенням інформаційно-соціальної політики в країні та за її межами, проведення волонтерської та благодійної діяльності тощо. Визначені особливості шахрайства в мережі Інтернет в умовах воєнного стану. Аналізуються думки науковців стосовно окресленої проблематики. Відзначаються роль та стратегічні завдання Департаменту кіберполіції Національної поліції України, зокрема у період воєнного стану, у попередженні, виявленні та припиненні кримінальних правопорушень у сфері кібербезпеки. Зосереджується увага на способах та методах боротьби з кібершахрайствами.

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APPLICATION OF CRIMINAL ANALYSIS TOOLS IN MARTIAL LAW

In today's realities, due to the armed aggression of the Russian Federation against Ukraine, police officers record cases of crimes against Ukrainian citizens every day. The amount of information about each crime event against Ukrainian citizens is very large and requires huge resources.

Therefore, law enforcement officers use criminal analysis tools to effectively and timely record all the circumstances of crimes.

In the countries of the European Union and the United States, the use of criminal analysis functions is mandatory for all law enforcement agencies. Its content, rules and procedures are clearly defined and regulated in the legal field [1, p. 131]. Thus, the main purpose of criminal analysis is to improve the mechanisms for preventing, detecting, documenting and investigating crimes, as well as creating mechanisms for monitoring the criminal situation and exchanging information on trends and risks in this area at the national, regional and international levels.

Criminal analysis is the activity of law enforcement officers using intelligent software and a systematic approach to collecting relevant information, analytical study of certain characteristics, trends in order to establish relationships between events, facts, phenomena, subjects and objects and optimization management of law enforcement agencies at the national and regional levels [2, p. 25].

Currently, one of the most effective data analysis systems with artificial intelligence is the Hala System. The American company is known for creating a warning system about air raids on civilians, and thanks to artificial intelligence, it is able to collect data on war crimes and determine their priority. The Ministry of Internal Affairs emphasizes that, in turn, data analysis will significantly speed up the process of investigating war crimes and create an international court for Russian war criminals. Currently, the American company Hala Systems works with international accountability and documentation mechanisms for war crimes such as the UN Special Commission, the UN International Independent Investigation Mechanism, the Organization for the Prohibition of Chemical Weapons and the International Criminal Court [3].

It should be noted that today all civilians who have witnessed or suffered from war crimes also have the opportunity to independently record information about crime events and send it to law enforcement agencies. This can be done using the chat bot of the Ministry of Justice, which allows you to submit the necessary information, for example, photo evidence of crimes, video recordings and contact information.

Thus, one of the priorities of law enforcement agencies in martial law is the effective use and implementation of modern systems and tools for analyzing crime, which are developed and successfully used by law enforcement agencies in the USA, Canada, Great Britain and EU countries. Ultimately, the use of modern systems and artificial intelligence in the analytical activities of law enforcement agencies will contribute to the rapid, accurate and effective detection of crimes committed by the Russian Federation on the territory of Ukraine.

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Анотація

Криміналістичний аналіз – це діяльність працівників правоохоронних органів із застосуванням інтелектуального програмного забезпечення та системного підходу до збору відповідної інформації, аналітичного вивчення певних характеристик, тенденцій з метою встановлення взаємозв'язків між подіями, фактами, явищами, суб'єктами та об'єктами та оптимізації управління діяльністю правоохоронних органів. на національному та регіональному рівнях.

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POLICE CONTROL OVER DRIVERS' COMPLIANCE WITH THE SPEED LIMIT

The full-scale war on the territory of Ukraine has created a number of threats to the national security of the country and the personal safety of every citizen. However, other threats that existed in peacetime have not lost their relevance and have become even more acute.

Thus, by the end of 2023, the level of road traffic injuries in Ukraine has almost reached the level of 2021, although a significant number of Ukrainian roads are still in the temporarily occupied territory or in the area of active hostilities.

Year s	Number of road accidents with victims and/or injuries	People were killed	People were injured
2021	24521	3238	29738
2022	18628	2791	23145
2023	23642	3053	29502

According to the Patrol Police Department of the National Police of Ukraine, the main cause of these accidents is drivers' violation of the speed limit. Exceeding the safe speed limit accounted for 39.0% of all road accidents in 2023 [1].

It is possible to prevent drivers from exceeding the speed limit by applying administrative and jurisdictional measures by the police, since Article 122(1) of the Code of Administrative Offenses of Ukraine recognizes exceeding the established speed limit by more than 20 km/h as an administrative offense, which is punishable by a fine of twenty tax-free minimum incomes. An even higher penalty of one hundred tax-free minimum incomes is provided for exceeding the established speed limit by more than 50 km/h [2].

The patrol police detect speeding both automatically, using special technical means with photo, film, and video recording functions, or photo, film, and video recording means, and during regular patrols. In this case, the laser speed meter Trucam LTI 20/20/, which is used by police units, is used.

Despite the availability of modern technical means, gaps in the current legislation do not allow police officers to fully influence speeding offenders. Administrative courts are often forced to cancel police decisions to impose fines. This practice has become widespread after the Eighth Administrative Court of Appeal stated its legal position in its decision of 21.01.2021 in case No. 157/703/20, according to which, when recording the speed of a certain vehicle, automatic photo and video equipment must be placed in the manner prescribed by the Law "On the National Police" (permanently mounted), while manual placement of automatic photo and video equipment for measuring and recording speed contradicts the provisions of Art. 40 of the Law "On the National Police". The court also noted that currently, the law does not provide for a different method and procedure for the use of TruCam laser speed meters by patrol police officers than the placement exclusively in accordance with Article 40 of the Law of Ukraine "On the National Police", and the letter of the Patrol Police Department dated 04.10.2018 No. 11299/41/2/02-2018 on the use of the TruCam laser speed meter for recording road safety offenses is not a regulatory act that changes or terminates the procedure for the use and placement of automatic photo and video equipment for recording [3].

An analysis of the provisions of Article 40 of the Law of Ukraine "On the National Police" leads to the conclusion that the police, in order to fulfill its tasks and exercise the powers defined by law, may use photo and video equipment, including equipment operating in automatic mode, technical devices and technical means for detecting and/or recording offenses [4]. In other words, when exercising control over compliance with traffic rules, which, in accordance with paragraph 11 of part of Article 23 of this Law, is one of the main powers of the police, police officers may use equipment that operates in automatic mode, as well as technical means and devices that do

not have such a function. Therefore, the use of the Trucam LTI 20/20/ laser speed meter in manual mode to determine the speed of vehicles does not contradict the above-mentioned legal provisions.

At the same time, according to Article 19 of the Constitution of Ukraine, state authorities and local self-government bodies and their officials are obliged to act only on the basis, within the limits of their powers and in the manner provided for by the Constitution and laws of Ukraine. Therefore, given the controversy over the manual use of remote speed meters by police officers in monitoring compliance with traffic rules, the significant public interest and the lack of a well-established law enforcement position, it would be advisable to regulate the issue of recording exceedances of the established speed limit in a non-automatic mode at the level of bylaws.

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Анотація

Тези присвячено дослідженню проблемних питань контролю Національною поліцією України за дотриманням водіями транспортних засобів швидкісного режиму. На основі аналізу нормативно-правової бази та судової практики з розгляду адміністративних справ автором визначено прогалини національного законодавства щодо використання поліцейськими дистанційних вимірювачів швидкості та запропоновано шляхи їх усунення шляхом розробки відповідних підзаконних та нормативно-правових актів.

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CRIMINAL OFFENSES AGAINST LIFE AND HEALTH OF A PERSON

The problem of crimes against a person's life and health was and remains one of the most acute and painful problems for society, one of its destabilization factors. The degree of civilization in society is measured by a person's attitude to life and health of other people. These are not fleeting values, because all others values are derived from them.

At the highest legislative levels, the Article 3 of the Constitution of Ukraine declares that a person, its life and health are recognized in Ukraine the highest social value, and Article 27 - that everyone has the right to defend own life and health, life and health of other people from illegal encroachments.

Crimes against life and health constitute a large social danger. They deprive the victims of the most valuable thing, become a tragedy for their relatives and friends, their consequences are irreversible, and the damage caused cannot be compensated.

Noticeable prevalence of crimes against person's life and health in every criminal structure, instability of their dynamics, their acquisition of new ones negative qualitative characteristics require permanent research of this problem.

Fundamental importance for this problem is an effective development toolkit aimed at protecting certain interests, as well as a set of effective measures aimed at systematically opposing them. The central place in this summation is occupied by the legal norms that make up the special part 2 of the Criminal Code of Ukraine, Chapter 2: "Crimes against the life and health of a person."

According to the Constitution of Ukraine (Article 27), every person has an inalienable right to life. Protection of human life is the duty of the state. Everyone has the right to protect his life and health, the life and health of other people from illegal encroachments.

Thus, human life has very high social value and must be properly protected.

Murder is illegal (intentional or careless) life deprivation of a person by another person (group of persons). The objective side of a murder consists of doing illegal actions (occurrence of physical or mental impact on a person) or inactivity (non-fulfillment actions that could prevent the death of the victim).

On the subjective side, crimes against person's life can be divided into such types:

1) murder due to carelessness (Article 119), which can be committed as a result of criminal self-confidence, and as a result of criminal negligence;

2) intentional murder (which can be committed directly or in an indirect way).

Murder differs from all other types of crimes only in its subjective aspect. The public danger of unintentional homicide is not as high as that of

intentional homicide. This is not surprising, because the criminal not only does not want the death of the victim, but also does not even allow the possibility of such situations. In this case, as already discussed above, two forms are possible: criminal self-activity (confidence and criminal carelessness). Aggravated homicide occurs when the perpetrator abstractly foresees the possibility of death, but believes that in this case it will not occur, and expects to eliminate and prevent it. The criminal relies on a specific real situation (own capabilities, physical strength, characteristics of machines, mechanisms, animal behavior, etc.). However, in the end, this calculation turns out to be inadequate and collapses. The flip side is that a person who acts in this way lacks prudence and does not count on unreliability. This often happens in violation of various rules for the use of vehicles, weapons, firearms, explosives, etc.

Crimes included in these sections can be divided into the following groups according to a certain (group) object (which is an intermediate concept between the general object and the immediate object): crimes against life (Articles 115-120 and 129 CC); crimes against health (Articles 130-133); crimes threatening life and health (Articles 134-145 of the Criminal Code); crimes against will, honor and dignity (Articles 146-151 of the Criminal Code) and crimes against sexual freedom and sexual integrity (Articles 152-156 of the Criminal Code).

Thus, in general, the object of these crimes is a person as a public entity. Inalienable human rights and freedoms, such as life, health, inviolability of gender and sexual freedom are the direct objects of specific crimes against the person.

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Анотація

Злочини проти життя і здоров'я людини - це суспільно небезпечні і протиправні дії, які руйнують життя і здоров'я людини, знищують і

спотворюють ці найцінніші блага, а також наражають на небезпеку. Необхідно виходити з того, що будь-який злочин проти життя завжди пов'язаний із заподіянням шкоди здоров'ю, але не кожне посягання на здоров'я завдає шкоди життю. Наприклад, при вчиненні такого злочину проти життя, як вбивство, знищується як життя, так і здоров'я потерпілого, однак заподіяння особі побоїв (умисне легке або середньої тяжкості тілесне ушкодження) не призводять до втрати життя, хоча при цьому страждає здоров'я.

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PROTECTION OF CONSTITUTIONAL HUMAN RIGHTS IN POLICE ACTIVITIES IN THE ZONE OF MILITARY CONFLICT

The National Police of Ukraine is a central executive body that serves society by ensuring the protection of human rights and freedoms, combating crime, and maintaining public order. One of the main tasks is to protect human rights and freedoms, as well as the interests of society and the state [1].

The introduction on February 24, 2022 throughout Ukraine of the legal regime of martial law as a result of the military invasion of the Russian Federation on the territory of our state determined the special procedure for the functioning of state authorities, including police bodies.

The activities of the police during the legal regime of martial law, unlike in peacetime, are adjusted depending on the tasks set before them by the state in order to counter the internal threats of martial law.

In conditions of conflict, the problems of respect, observance, implementation and protection of human rights acquire different dimensions than in peacetime, the awareness of which allows us to clearly determine the orientation of law enforcement agencies in using the relevant legal tools.

Returning directly to the activities of the police to ensure the rights of citizens during martial law, I would like to first dwell on the definition of those rights of citizens that are violated during the operation of this legal regime [3]. These include the following:

1. The right to life, protection from torture and ill-treatment.
2. The right to privacy.
3. Freedom of movement.
4. The right to liberty and security of people.
5. Freedom of thought, conscience and religion.
6. Freedom of association.
7. Ownership.
8. The right to a decent standard of living.
9. The right to education.

10. Countering discrimination.

11. The rights of internally displaced persons (in particular in terms of access to social services and state aid, paperwork).

It should be noted that the relevance of providing the police with the outlined list of human rights is due to the fact that they are mainly violated during martial law as a result of active hostilities, occupation of certain regions and settlements. However, of course, this does not exclude the need to protect and defend the rights of citizens, which are caused by the so-called "standard" administrative and criminal offenses (that is, those offenses that were committed in peacetime) [2].

Of course, the number of such offenses has significantly decreased, which is due to a number of objective factors:

- introduction of a curfew;
- presence of checkpoints;
- increasing the presence of police and military personnel in public places;
- a large number of displaced persons.

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Анотація

У роботі розглянуте питання щодо захисту конституційних прав людини у діяльності поліції в зоні воєнного конфлікту. Проаналізовано права громадян, що порушуються під час дії правового режиму. Наголошено, що кількість правопорушень істотно зменшилася та виокремлено низку об'єктивних факторів.

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RESOLUTION 1325: WOMEN, PEACE, SECURITY - PROTECTING THE RIGHTS OF SERVICEWOMEN DURING ARMED CONFLICTS

Resolution 1325, adopted by the United Nations Security Council in 2000, is a landmark document that underscores the crucial role of women in the maintenance of peace and security worldwide. While the resolution primarily focuses on the broader inclusion of women in conflict prevention and peacebuilding efforts, it also highlights the importance of protecting the rights of servicewomen who serve in various capacities during armed conflicts.

The Role of Servicewomen in Armed Conflicts:

Servicewomen play diverse roles in armed conflicts, serving in military, peacekeeping, and humanitarian capacities. They contribute to peace and security efforts by participating in combat, providing medical aid, facilitating humanitarian assistance, and engaging in peacebuilding activities. Despite their invaluable contributions, servicewomen often face unique challenges and vulnerabilities in conflict zones, including gender-based violence, discrimination, and lack of access to essential services.

Addressing the Rights of Servicewomen:

Resolution 1325 calls for the protection of women's rights, including servicewomen, during armed conflicts. It emphasizes the need to address gender-based violence, ensure women's participation in peace processes, and promote their meaningful involvement in decision-making roles. Additionally, the resolution underscores the importance of integrating a gender perspective into military operations and peacekeeping missions to better address the specific needs and concerns of servicewomen.

Challenges Faced by Servicewomen:

Despite the principles outlined in Resolution 1325, servicewomen continue to encounter significant challenges in conflict zones. These challenges include sexual harassment, assault, discrimination, and lack of access to healthcare and support services. Moreover, cultural and institutional barriers often limit their opportunities for advancement and recognition within military and peacekeeping organizations.

The Impact of Conflict on Servicewomen:

Armed conflicts exacerbate the vulnerabilities of servicewomen, exposing them to increased risks of physical and psychological harm. The trauma of combat, exposure to violence, and separation from family and support networks can have profound and long-lasting effects on their well-being. Furthermore, the prevalence of sexual violence and exploitation in conflict zones further compounds the challenges faced by servicewomen, leading to widespread impunity for perpetrators and inadequate support for survivors.

Addressing the Needs of Servicewomen:

To effectively protect the rights of servicewomen during armed conflicts, concerted efforts are needed at the national, regional, and

international levels. This includes strengthening legal frameworks to prosecute perpetrators of gender-based violence, enhancing training and awareness programs for military personnel, and providing comprehensive support services for servicewomen affected by conflict-related trauma. Additionally, promoting gender equality and women's empowerment within military and peacekeeping institutions is essential to creating inclusive and supportive environments for servicewomen.

Conclusion:

Resolution 1325 represents a significant step forward in recognizing the rights and contributions of women, including servicewomen, in conflict and post-conflict settings. However, realizing the objectives of the resolution requires sustained commitment and action to address the unique challenges faced by servicewomen during armed conflicts. By prioritizing their protection, empowerment, and inclusion, we can ensure that servicewomen play a meaningful role in advancing peace, security, and gender equality worldwide.

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Анотація

У статті автори звертають увагу на Резолюцію 1325, що була прийнята Радою безпеки Організації Об'єднаних Націй у 2000 році та є історичним документом, який підкреслює важливу роль жінок у збереженні миру та безпеки в усьому світі. Документ звертає увагу на широке залучення жінок у процесах запобігання конфліктів та підтримання миру, а також на важливість захисту прав жінок-військовослужбовців, що беруть участь у різних сферах під час збройних конфліктів. Резолюція підкреслює необхідність захисту прав жінок-військовослужбовців, зокрема від гендерного насильства, та підтримки їхньої участі у миротворчих процесах для забезпечення гендерної рівності та безпеки.

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CONSTITUTIONAL ENFORCEMENT OF THE RIGHT TO MARRIAGE IN THE CONDITIONS OF RUSSIAN ARMED AGGRESSION AGAINST UKRAINE

The institution of marriage was constantly transformed during various historical periods of the formation of the Ukrainian legal state. The need was primarily for quick integration processes of marriage and family relations, which had to be regulated at the legislative level. Therefore, the social protection of marriage and family relations is provided primarily by the Basic Law of Ukraine, which defines the foundation of marriage only on the free consent of a woman and a man, in which everyone has equal rights and obligations [1]. People in love have a desire to officially register their relationship to avoid negative legal consequences, especially in the conditions of the introduction of a legal regime of martial law in the territory of Ukraine. So the state has created a complex mechanism for the implementation of this right to facilitate the marriage process.

The resolution of the Cabinet of Ministers of Ukraine dated March 7, 2022 “Some issues of the state registration of marriage under martial law” regulated certain aspects of public life, namely: an alternative approach to determining the mandatory presence of the groom or bride at the time of marriage registration and the possibility of registering a marriage without application of the bride and groom to the Civil Registry Office [2]. In particular, in these legislative mandates, it is possible to trace the positive trend of the state ensuring the right to marry for those persons who protect the sovereign territory of the country. The registration of a marriage outside the Civil Registry Office, for example, registration of marriage record by the head or commander of the groom’s (bride’s) place of service, significantly simplifies the procedure for official certification of relationships in the occupied territories or non-government controlled Ukrainian territories and front-line zones. A new feature in the institution of marriage is the drawing up of the relevant act using available video communication tools, which guarantees convenience and speed.

In addition, when analyzing such a simplified marriage registration procedure, it should be emphasized that it is also provided in Part 2 of Art. 32 of the Family Code of Ukraine, namely, that this method of marriage (on the day of submission of the relevant application or on any other day at the wish of the bride and groom within one month) is carried out due to the presence

of a threat to the life of the bride or groom with the permission of the head of the civil registry office [3, p. 261].

So, taking into account all of the above mentioned, we can come to the conclusion that innovations in the institution of marriage contribute to the positive dynamics of the development of Ukrainian society. One of the main directions of state policy is ensuring family and childhood protection. During the Russian armed aggression against Ukraine, the implementation of the mechanism of the constitutional right to marry provides an opportunity to realize all the rights and guarantees of a family member in case of unforeseen events.

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Анотація

У тезах розглядається трансформація конституційного забезпечення права укладення шлюбу в умовах російської збройної агресії проти України. Зазначено, що в національних нормативно-правових актах, які регулюють шлюбно-сімейні відносини відслідковується позитивна тенденція забезпечення державою права укладання шлюбу саме тих осіб, які захищають суверенну територію країни. При цьому було проаналізовано новелу, яка передбачає складання відповідного акту з використанням доступних засобів відеозв'язку, що гарантує зручність та швидкість. Було здійснено аналіз приписів Конституції України, Постанови Кабінету Міністрів України від 7 березня 2022 року «Деякі питання державної реєстрації шлюбу в умовах воєнного стану» та Сімейного кодексу України. Наголошується на позитивній динаміці державної політики щодо забезпечення охорони сім'ї та дитинства.

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TRAINING THE 21ST CENTURY POLICE OFFICER: PROFESSIONALISM CONCEPT FOR LOS ANGELES POLICE

The concept of police professionalism evolved throughout the twentieth century, and experience of this phenomenon development would be crucially significant for the Ukrainian police activity under the conditions of martial law and modern reforming. Thus, in the USA in its earlier years, policing was based on a “political model” in which officers were assigned to neighborhoods and grew intimately familiar with their “beats”. Decisions about police services for a community were made by political bosses. Policing during this period was characterized by overwhelming political influence and, too often, corruption. The subsequent so-called “professional” era of policing in the USA was a direct response to this political control and manipulation of city law enforcement agencies. Reforms included outfitting police officers in readily identifiable uniforms. Departments took advantage of the increased availability of cars and assigned more officers to vehicle patrol, in part because they were thereby easier to supervise. Standards of conduct were instituted, including the International Association of Chiefs of Police Law Enforcement Code of Ethics that was considered one of the greatest accomplishments of that era. The code specified a standard for ethical and legal police conduct. Meanwhile, they should admit that paramilitary command and control structures became prevalent; and officers were educated to do as they were told and not question authority.

Police analyst George Kelling believes it is more appropriate to characterize this period as one of “reform” rather than as an actualization of the issue police activities and their training. It created many new problems even as it addressed many of those from the political era. Critics claim that the reform model created professionally remote, internally oriented, legalistic, formalized, and rigid police departments in the efforts to prove integrity and efficiency. The Los Angeles Police Department became the epitome of this “professional” model, its officers emblematic of the police experts who demanded “just the facts.” The civil unrest of the late 1960s accented these shortcomings in the reform model. Police in the political era had often been too involved with community politics. Now they were frequently too removed from the society they were to serve. Departments did not reflect the racial mix of the communities they served. Police might have been technically proficient but they too often lacked requisite communications skills. Officers often had problems communicating effectively with the diverse elements of American society. Efforts at reform gradually shifted to community policing approaches. The basic strategy was one of partnership with those served and included goals of identifying and solving problems mutually recognized as important.

In the complex landscape of contemporary law enforcement training in peacetime America, it is evident that adaptation is paramount. The evolution of policing in a changing society demands a multifaceted approach that

addresses the diverse challenges posed by technological advancements, cultural shifts, and changing demographics. The shift towards community-centric policing underscores the importance of equipping law enforcement officers not only with traditional skills but also with effective communication, empathy, and cultural competency to foster trust and engagement within the communities they serve. The essential point is that the recognition of mental health awareness as a critical aspect of law enforcement duties necessitates comprehensive training programs. Emphasizing de-escalation techniques and crisis intervention, along with collaboration between law enforcement and mental health professionals, is essential for ensuring officers are well-prepared to handle situations with sensitivity and understanding.

As the USA police work shows, in the digital age, the integration of technology and cybersecurity training becomes imperative. So, law enforcement must navigate the complexities of cybercrime and digital evidence responsibly. Training in digital forensics, cybersecurity, and the ethical use of emerging technologies is essential for effective policing. Addressing implicit bias through diversity training is crucial for fostering fair and just policing.

Generally, training programs need to go beyond surface-level awareness and actively provide strategies to address and rectify biased behavior within law enforcement agencies. With increased scrutiny on use of force incidents, training should prioritize de-escalation tactics and alternative interventions. Officers must be well-versed in use of force policies that prioritize minimizing harm and preserving life, aligning with the evolving expectations of accountability and transparency.

Legal and ethical decision-making must be at the core of law enforcement training. Officers should be equipped with critical thinking skills, ethical frameworks, and a deep understanding of constitutional rights to navigate complex situations with integrity and justice. The era of data-driven policing necessitates responsible use of information. Training should address privacy concerns, potential biases, and the ethical implications of utilizing data for predictive policing, striking a balance between efficiency and protecting individual rights. The rise of domestic terrorism and extremism requires law enforcement to be proactive in identifying and responding to potential threats while respecting civil liberties. Collaboration with intelligence agencies and a deep understanding of ideological motivations are crucial components of effective training.

Finally, the vital role that the USA law enforcement plays in crisis response and disaster management underscores the need for comprehensive training. Thus, coordination with other emergency services, handling mass casualties, and ensuring public safety during crises should be central to law enforcement preparedness. And this experience could be effectively applied for the Ukrainian police.

But we didn't take into account one factor that plays a key role especially in our time in the Ukrainian society, with very rapid changes in geopolitical space. Namely, for post-conflict stabilisation and peacebuilding efforts to have a chance of success, security gaps need to be closed. The global practice indicates that national law enforcement agencies tend to be too weak or unreliable after war to enforce the law and fight serious crime. As a consequence, operations against organised crime, the arrest of suspected war criminals and the protection of minorities depend on international intervention forces. Much attention has been paid to domestic police reform and the problems of deploying international civilian police.

In conclusion, the contemporary challenges facing law enforcement demand a holistic and adaptive approach to training. By addressing the diverse facets outlined in these theses of the USA police activity, law enforcement agencies can better prepare their officers to navigate the complex and dynamic landscape of peacetime policing in Ukraine.

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Анотація

У роботі проаналізовано концепцію поліцейського професіоналізму, яка еволюціонувала протягом ХХ століття. Розглянуто досвід формування професіоналізму поліцейських США, зокрема поліції Лос-Анжелеса, що може бути корисним для реформування діяльності української поліції в умовах воєнного стану.

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ILLEGAL LOGGING: CAUSES AND WAYS OF COMBATTING

Forests are the lungs of the earth, essential for mitigating the impacts of pollution and even more critically climate stabilization. Unfortunately, illegal

logging is a significant environmental challenge in many parts of the world, as the demand for paper, furniture, and other wood and agricultural products grows. Illegal logging has an economic as well as an environmental impact [2] and a serious crime.

Worth almost USD 152 billion a year, the illegal timber industry accounts for up to 90% of tropical deforestation in some countries and attracts the world's biggest organized crime groups. It causes serious economic, environmental and social damage and fuels conflict in forest regions where criminal gangs compete for available markets [1].

According to INTERPOL, trade in illegal timber is estimated to account for 10-30 percent of all wood traded globally, valued between \$30-100 billion annually. The American Forest & Paper Association estimates that illegal logging also depresses world timber prices by between 7-16 percent [2]. In Ukraine by official data, by 2019 118000 square meters of trees were cut illegally. The total losses due to illegal logging were 814 million of hryvnas in 2020.

Illegal logging is the cutting down of trees, transporting them, or using their products such as timber for economic gains against the prohibition by law [3].

There are various causes of illegal logging. In the forest regions, there is always a rural community or indigenous people living within the locality. These communities or tribes are in most cases very poor and entirely depend on the forest for their needs and survival. From food, shelter to fuel, it's all obtained from the forest. Consequently, they are put in a situation where they source firewood for cooking and heating from the forest that encourages the practice of constant illegal logging.

Most of their shelter construction materials are also sourced from the forest which has led to repeated illegal cutting down of trees to obtain timber. Further, since such villages experience harsh economic situations and considering that the forest is their only source of income, they often collude with illegal loggers for monetary gains. Some may also illegally obtain wood from the forest and sell them to lumber mills.

The economics of the markets globally equally plays a role in promoting illegal logging. The reason for this is that illegal timber is normally cheaper compared to legal timber in black markets thereby denying legal operators competitive advantage. To a great extent, this is fuelling the demand for illegal timber which means more illegal logging. Importers of illegal logs and the dependency of black wood in countries such as Japan, China, the US, and the EU make the problem even worse.

The soaring demand for furniture and timber also propels the practice of illegal logging, a multi-billion dollar industry involving some of the top government officials and corporate executives as well as big business owners who are out for selfish monetary gains.

Forest governance in producer countries very poor and the laws in place are lax at addressing illegal logging concerns. Limited resources, weak institutions, and lax laws have contributed to inadequate law enforcement and the lack of proper land use management. Furthermore, many countries have unclear and poor legal frameworks.

These issues combined leave so many gaps in forest management and governance and as such, it makes it hard for the formal systems to strictly enforce laws guarding against illegal logging. It creates room for businesses and individuals to deliberately over-harvest or take advantage of the legislation gaps [3].

Among the best solutions to illegal logging, as the practice of many developed countries shows, management is the promotion of forest stewardship programs. Stewardship councils and programs can work as effective tools for managing forests by tracking timber harvesting, transportation, and sale. Such programs can also aid in protecting vulnerable forest areas from further degradation as a result of encroachments or conversion into farmlands. For the effectiveness of forest stewardship programs, it is essential that it works directly with the lumber mills and timber industry to monitor and curtail black markets.

Stricter legislation in all countries against illegal logging and the prohibition of importing illegal timber can go a long way in solving the problem. The relevant forest management authorities should take action and utilize their constitutional provisions on environmental protection to enact laws and regulations restricting the practice [3]. Subjecting the lawbreakers to harsh penalties such as sentencing and huge fines can considerably aid in managing the problem.

Citizens as the consumers can equally be part of the solution and can contribute by ensuring that they only purchase certified timber products. Serious governments, regional organizations, and third party certification initiatives like the Forest Stewardship Council (FSC) and EU are working round the clock to ensure only certified timber reaches the markets.

These initiatives, therefore, provide the most outstanding global standards for the management of forest, and as consumers; it's now upon us to be mindful when purchasing timber and its products. By doing this, we will be curtailing illegal logging together with its associated multi-billion dollar industry and illegal markets.

There are numerous forest management groups, organizations, and community programs that work tirelessly to fight illegal logging. From time to time, however, these groups and organizations experience challenges in terms of support, funding, or manpower.

As custodians of our planet's resources, it's important for people to join the fight against illegal logging by offering donations or by volunteering. It can be as simple as volunteering a few hours per week, making monetary

donations or funding campaigns to organizations such as the Forest Stewardship Council, Greenpeace, and the World Wildlife Fund [3].

Also, spreading the word about the impacts of illegal logging through blogs, social media, political groups, and community programs can help people understand the issues at hand which can eventually help address the matter. It should be said that the best world experience in preventing and stopping illegal logging is worth to be studied and implemented by the Ukrainian law enforcement agencies.

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Анотація

Авторка розкриває проблеми поширення такого виду злочину як незаконна вирубка лісів. Розглянуто причини виникнення цього кримінального явища та наведено статистичні дані щодо збитків від чорної торгівлі деревиною. Охарактеризовано найбільш ефективні шляхи вирішення проблеми незаконної вирубки лісів в світі, що корисно запозичити правоохоронними органами України.

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LANGUAGE TRAINING OF THE CADETS AT THE HIGHER MILITARY EDUCATIONAL INSTITUTIONS: PECULIARITIES AND MAIN ASPECTS

Issues of professional foreign language training of law enforcement officers are becoming increasingly important in view of the European integration of education in Ukraine. A foreign language has long ceased to be an end in itself, it became a toolkit for the training of highly specialized specialists. The motivational element is especially evident when the Armed Forces of Ukraine participate in peacekeeping operations.

Technology of foreign language training of military personnel for testing according to standardized language levels involves the development of cadets' learning motivation, mastery of various types of knowledge and skills, gradual formation of monologic and dialogic speech skills, acquaintance of cadets with the norms of speech etiquette, involvement in speech activities in accordance with the conditions and tasks of communication situations, formation of skills of analysis and correction, self-control and mutual control of speech activity.

Let us describe the main aspects of cadets' language training process. The main goal of the initial course, which usually lasts one year, is the adaptation of cadets to the conditions of study at higher military educational institution; a certain reorientation of mastering a foreign language for the purpose using it for personal and professional purposes, which leads to certain changes in the motivation for mastering the discipline; repetition and generalization of language material studied in secondary school; levelling of knowledge, abilities and skills of first-year students.

During their first-year study, cadets study topics related to everyday communication situations, such as "My family", "Shopping", "At the post office", "At the doctor's", "At the bank", "In the library", "At the airport", "Education" etc. Cadets should be able to reproduce various lexical and grammar structures both in writing and orally. One of the tasks of this stage is determined by the formation of the ability to make basic decisions in various socio-cultural situations

During the second year of military servicemen's training, the task is to acquire military-cultural knowledge, taking into account the socio-cultural features of the country with an international language of communication. The second stage (main) includes the achievement of the following goals:

- formation of the appropriate level (B1) in cadets;
- practical assimilation of linguistics and socio-cultural facts by creating situations close to real ones;
- formation of professional competencies of military personnel;
- expansion of military topics of communication;
- enriching the vocabulary of future officers with special terminology and professionally oriented vocabulary.

At this stage, it is necessary to actively use information technologies with the help of which classroom classes and hours of self-preparation are conducted in order to improve oral communication skills and active and passive vocabulary is replenished.

During the third and fourth academic years, the main form of organization of the educational process at this stage is briefing classes, which were imposed for a deeper understanding of military topics and the formation of cadets' communication skills. Military personnel need to participate in the preparation of such types of military briefings as information, decision briefings, personnel briefings and military operations briefings. When

presenting their opinions, cadets adhere to their clear structure: preface, main part, conclusions.

One of the methods of formation of foreign language competence is educational discussions. Their implementation is based on the exchange of views on a specific problem, and for this purpose, the facts of the struggle of different scientific points of view on this or that problem is used. With the help of a discussion, cadets acquire new knowledge, learn to apply it, use the advantages and disadvantages of solutions of a separate problem and support their own point of view.

We should also mention the high effectiveness of project work during cadets' training. Being involved in a project (such as practical course of the English language, country study, military translation etc.), cadets take over the responsibility for organising the whole process, thus improving their time-management and language skills.

Properly organized work, especially in the self-training centers enables additional independent practice. Educational-methodical, informational-reference, informational-cognitive materials, fiction, test tasks for self-control of independent activity, self-assessment scale at the level of mastery of speech give the servicemen the opportunity to self-assess their level of knowledge, see the dynamics of self-improvement, evaluate the achieved result and effectiveness of their own educational activity.

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Анотація

У роботі розглядаються особливості іншомовної підготовки курсантів, які здобувають професію правоохоронців та курсантів вищих

військових закладів вищої освіти загалом. Питання професійної іншомовної підготовки працівників правоохоронних органів набувають все більшої актуальності з огляду на євроінтеграцію освіти в Україні. Іноземна мова давно перестала бути самоціллю, вона стала інструментарієм для підготовки вузькопрофільних спеціалістів. Особливо мотиваційний елемент проявляється під час участі Збройних Сил України в миротворчих операціях. Описується поетапний процес засвоєння іноземної мови для професійного спілкування.

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PSYCHOLOGICAL FEATURES OF BEHAVIOR AND POST-TRAUMATIC STRESS DISORDERS IN EMPLOYEES OF THE NATIONAL POLICE OF UKRAINE

In recent years, the National Police of Ukraine has faced numerous challenges, starting from maintaining public order during protest actions and ending with the fight against organized crime. The complex and stressful nature of the job often results in police officers becoming victims of various traumatic events. These events can significantly affect their psychological state, leading to behavioral changes and post-traumatic stress disorder (PTSD). The purpose of this essay is to study psychological characteristics of behavior and post-stress states among employees of the National Police of Ukraine.

The nature of the work performed by National Police officers requires them to be alert, assertive and quick-thinking to ensure public safety. Such a complex work environment can lead to the appearance of specific psychological features in their behavior. One of these features is increased vigilance, which is the result of the constant need to anticipate potential threats and respond promptly to them. This increased vigilance can develop into a state of hypervigilance, where police officers are on high alert even outside of working hours, affecting their personal lives and relationships with others.

Another psychological characteristic common among the employees of the National Police is a high level of aggression. Faced with dangerous situations every day, these people must be ready to protect themselves and others. As a result, this aggression becomes ingrained in their behavior as a means of self-defense. Although aggression is necessary during work tasks, such individuals may find it difficult to separate their work image from their personal life, manifesting in increased confrontation or irritability outside of work.

In addition, the complex nature of their work can contribute to a heightened sense of control and power, leading to rigid patterns of behavior and difficulty adapting to situations that require flexibility. This need for control can manifest as a coping mechanism that helps police officers deal effectively with stressful situations. However, it can also hinder their ability to accept help and be resilient when faced with traumatic events.

Due to the nature of their work, employees of the National Police have a higher risk of PTSD compared to employees of other branches. PTSD is a psychological condition that occurs after a traumatic event and is manifested by various symptoms such as obsessive thoughts, nightmares, and emotional numbness. The experiences that police officers face, particularly when they witness violence, experience human tragedies, and deal with life-threatening situations, put them at significant risk of developing PTSD [2].

Traumatic events experienced by police officers can lead to difficulties with emotional regulation. These individuals may struggle to control their emotions, resulting in frequent outbursts of anger, emotional withdrawal, or depression. Chronic exposure to traumatic events can also lead to sleep disturbances, anxiety, and an increased state of hypoarousal, where individuals exhibit blunted emotional expression and social withdrawal.

In addition, feelings of isolation and lack of social support further worsen post-stress conditions among National Police personnel. The stigma associated with mental health issues in law enforcement can discourage help-seeking, ultimately exacerbating the effects of PTSD. Over time, this can lead to a deterioration in overall mental health and a decrease in job satisfaction among employees [3].

As a conclusion, we can note that the psychological characteristics of the behavior and post-stress states of the employees of the National Police of Ukraine testify to the complex nature of their profession.

Hypervigilance, aggression, and control are adaptive behaviors necessary to perform one's duties, but can have a negative impact on personal relationships. In addition, the impact of traumatic events increases the risk of developing post-traumatic stress disorders, which leads to emotional dysregulation, social isolation and reduced job satisfaction. Identifying and addressing these psychological effects is critical to ensuring the well-being of National Police personnel and their ability to serve society effectively.

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Анотація

За останні роки Національна поліція України зіткнулася з численними викликами, починаючи з підтримки громадського порядку під час акцій протесту і закінчуючи боротьбою з організованою злочинністю. Складний і напружений характер роботи часто призводить до того, що працівники поліції стають жертвами різноманітних травматичних подій. Ці події можуть суттєво впливати на їхній психологічний стан, призводячи до змін у поведінці та посттравматичних стресових розладів (ПТСР). Виявлення та подолання цих психологічних наслідків має вирішальне значення для забезпечення благополуччя персоналу Національної поліції та їхньої здатності ефективно служити суспільству.

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REGARDING THE DEFECTS OF PUBLISHING OFFICIAL NOTICES FOR THE SUSPECTS ON THE OFFICIAL WEBSITE OF THE ATTORNEY GENERAL'S OFFICE OF UKRAINE

An important stage of the effective execution of a special pre-trial investigation (hereinafter – SPI) practically it is the comprehensive support by the state authorities of the regime of legality and the compliance of the suspect's rights in accordance with the national and international standards. According to the part 8 of article 135, part 6 of article 297-4 of the Criminal Procedural Code of Ukraine publication of notices for a suspect who has left and/or is staying in the temporarily occupied territory of Ukraine, the territory of a state recognized by the Ukrainian Parliament as an aggressor state, about suspicion, about a summons, concerning suspected person for whom permission has been granted by an investigating judge on the implementation of SPI, etc. in mass media of statewide distribution (the "Uriadovi kur`ier" newspaper) and the official website of the Attorney General's Office (hereinafter - AGO) [1].

Despite the fact that over the past two years, publications on the AGO website have already become routine, in the texts of such publications there are violations of the requirements of the Criminal Procedural Code of Ukraine and the order of the AGO №. 141 dated 05/30/2023 [2]. It is important to emphasize that the conduct of a pre-trial investigation with the fact that a person has committed a criminal offense itself carries enough restrictions of

the constitutional rights of the person, that is why it is important to pay attention to the shortcomings that occur in practice and thus violate the rights of the suspected person.

The analysis of the publications on the AGO website allows us to conclude that violations of the requirements of the Criminal Procedural Code of Ukraine when publishing summonses to summon a suspect are quite common, for example:

- aren't mentioned the telephone number or other means of communication with the institution to which the summon is made (clause 2, part 1, Article 137 of the Criminal Procedural Code);

- aren't mentioned the consequences of a person's abstention to the summon with the text of the relevant provision of the law specified in Art. 139 of the Criminal Procedural Code (clause 8, part 1 of Article 137 of the Criminal Procedural Code);

- aren't mentioned the procedural status of the summoned person (clause 5 part 1 of Article 137 of the Criminal Procedural Code);

- wrong deadlines are mentioned for the person who is summoned (not later than three days before the day when he is obliged to arrive at the summon), which is provided in part 9 of Article 135 of the Criminal Procedural Code.

This violations of the requirements of the Criminal Procedural Code affect the realization of the rights of the defense party, in particular, they deprive the opportunity to notify the investigator, prosecutor about the existence of respectable reasons, due to which a person cannot appear when summoned by the investigator, prosecutor. There are numerous cases of publication of summons with outdated wording of articles of the Criminal Procedural Code of Ukraine, in particular Art. 139, which may cause inaccuracies and misunderstandings in the future. Therefore, before publication, it is important to make sure that the text of the summon is alike in the Criminal Procedural Code of Ukraine (the version actual on the date of the procedural action).

According to Part 6 of Art. 297-4 of the Criminal Procedural Code of Ukraine, information about suspects, in relation to whom the investigating judge has issued a decision to carry out a special pre-trial investigation, immediately, but not later than 24 hours after the decision is issued, shall be registered into the Unified Register of Pre-Trial Investigations and published in mass media of statewide distribution and on the official website of the AGO. At the same time, the order of the AGO № 141 dated 05/30/2023 approved the updated Procedure of organization of the publication in the mass media of the state sphere of distribution and on the official website AGO of summons, notices of suspicion and information about suspects for whom has been granted the permission to carry out a special pre-trial investigation (hereinafter – Procedure). By this Procedure, it is determined that the subject of these notification is the prosecutor who took part in the court session at

witch by the investigating judge was issued the permission to carry out SPI or another prosecutor by decision of the senior of the group of prosecutors.

However, the analysis of the publication of summons in accordance with Part 6 of Art. 297-4 of the Criminal Procedural Code of Ukraine on the website of the AGO indicates that in practice takes place the violation of the terms of these publications, which in some cases are publishing with a delay from 2 up to 14 days. Such violation of the publication deadlines leads to the violation of the suspects deadlines of his rights execution, which leads to the complaints by the side of defense. The presence of the above-mentioned violations of the requirements of the Criminal Procedural Code and the Procedure indicates improper control by the heads of the prosecution authorities and units of the AGO, who are responsible for the completeness and timeliness of the specified publications and must ensure control over the pre-trial investigation and the effectiveness of procedural management in criminal proceedings in which publications were carried out on the AGO website.

Representatives of the prosecutor's office and investigative units should pay close attention to the correctness of posting publications on the AGO website, because abidance with the requirements of the Criminal Procedural Code of Ukraine and the Procedure is a guarantee of conducting a special pre-trial investigation without violating of the suspect's rights.

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Анотація

З початком широкомасштабної збройної агресії рф проти України все більше злочинців намагаються уникнути кримінальної відповідальності, переховуючись від органів слідства та суду на тимчасово окупованих територіях України, на території держави-агресора (рф) або на території інших держав. У зв'язку з цим здійснення спеціального досудового розслідування (далі – СДР) на підставі положень Глави 24-1 Кримінального процесуального кодексу України

(далі – КПК) є вкрай актуальним для слідчих Служби безпеки України, адже відповідно до ст. 297-1 КПК за більшістю кримінальних правопорушень, віднесених до підслідності слідчих органів безпеки, дозволено здійснювати процедуру СДР (in absentia).

При цьому, здійснення СДР за відсутності підозрюваного, має не тільки забезпечувати невідворотність його кримінальної відповідальності за вчинені злочини, а й передбачати підстави і умови, встановлені як національним, так і міжнародним законодавством, для унеможливлення порушення права на захист підозрюваного під час досудового розслідування. Одним з шляхів реалізації права на захист підозрюваного, є своєчасне ознайомлення його прийнятими у кримінальному провадженні процесуальними рішеннями та вручення/направлення йому для ознайомлення відповідних процесуальних документів.

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TOPICAL ISSUES OF LAW ENFORCEMENT TRAINING IN PEACETIME AND UNDER MARTIAL LAW

Professional training of members of investigative teams is carried out in peacetime. Usually, professional training in peacetime for employees who are members of investigative teams is carried out separately at the relevant structural units of the Ministry of Internal Affairs of Ukraine and the National Police of Ukraine. At the same time, joint training sessions involving representatives of the National Police of Ukraine and sectoral departments of the MIA of Ukraine, in particular the Border Guard Service of the MIA of Ukraine, the Migration Service of Ukraine, the SES of Ukraine and structural units, representatives and specialists of other ministries and agencies are not conducted, limited to one-time invitations (and then only to some of their representatives) to such types of training on interaction issues that should be addressed during preparation in peacetime and in case of martial law.

In Ukraine, martial law is defined as a special legal regime introduced in case of a threat to national security. Proposals for the introduction of martial law in Ukraine or in certain areas of Ukraine are submitted to the President of Ukraine by the National Security and Defense Council of Ukraine. After considering these proposals, the President of Ukraine issues a decree on the introduction of martial law [1].

The law enforcement agencies expand cooperation with the European Police Office (Europol) and act as the National Contact Point between the

competent authorities of Ukraine and Europol; represent and ensure the fulfillment of Ukraine's obligations in the International Criminal Police Organization - Interpol and act as the National Central Bureau of Interpol; collect biometric data of persons in accordance with parts 42, 43, 45 of Article 23 of the Law of Ukraine "On the National Police" [3].

One of the areas of training that should be considered is the specifics of maintaining the secrecy and confidentiality of investigative proceedings and information security, which should be conducted with the participation of the SSU, cyber police and officials of sensitive police units. For example, certain politicians, heads of certain agencies, representatives of the media, etc., publish on Internet sites that we consider classified information about the extent, manner of receiving and forwarding military and other assistance from our country's partners, as well as certain strategic and tactical military and law enforcement information, while martial law is currently in effect. Another important area of professional training should be the improvement of cooperation with forensic experts, employees of specialized institutions of the Ministry of Internal Affairs of Ukraine, the Ministry of Justice of Ukraine, the State Emergency Service of Ukraine, the Ukrainian Security Service, representatives of explosive, pioneer and pyrotechnic units, as well as specialists from other agencies [1, p. 8].

Pre-designed planned activities, tested in practical exercises with personnel, as close as possible to the actual operational situation, are the key to the effective operation of internal affairs agencies under martial law. Standard reusable plans make it possible to save time by developing managerial decisions, choosing the best options and procedures, pre-calculating forces and means, and preparing personnel for martial law operations.

The psychological training of personnel, special physical and professional training and hardening are of great importance.

Given the high general preparedness of personnel to act under martial law, even a sudden, unpredictable occurrence of emergencies will not put the internal affairs agency in a difficult situation. Preparing a standard plan for the introduction of martial law, for example, organizing search operations in the event of an armed criminal group, requires a certain amount of experience on the part of the head, knowledge of the specifics of the area, analysis of the operational situation, etc.

As a rule, the development of a standard plan takes place in four stages: preparatory; direct development of the plan; its coordination, adjustment, approval; and communication to executors.

Within the framework of the law of war, extensive of a military and police nature, the police make which is reserved mainly for the police [2].

Thus, the effectiveness of the forms and methods of martial law enforcement largely depends on the flexibility and dynamism of the use of

forces and means of internal affairs bodies. At the same time, it is important is to improve the forms and methods of interaction between the police and the public in ensuring the martial law regime.

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Анотація

У тезах проаналізовано підготовку правоохоронців в Україні під час дії воєнного стану. Розглянуто основну характеристику терміну «воєнний стан». Виявлено за науковими працями авторів план підготовки правоохоронців, проаналізовано частини закону «Про Національну поліцію». Досліджено методи підготовки правоохоронців під час війни в Україні.

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CRIMINAL POLICE UNITS OF THE NATIONAL POLICE OF UKRAINE IN THE SYSTEM OF NATIONAL SECURITY AND DEFENSE

National security is one of the most important aspects that ensure the existence of any state. The concept of national security is defined in the Law of Ukraine "On the Basics of National Security of Ukraine".

National security is the protection of the vital interests of a person and citizen, society and the state, which ensures the sustainable development of society, timely detection, prevention and neutralization of real and potential threats to national interests.

And although the National Police of Ukraine is not included in the circle of subjects that ensure national security, which are defined by law, but in its turn, as the central body of the executive power, in accordance with the Law of Ukraine "On the National Police", it has a number of powers and performs a number of tasks aimed not only at ensuring the rule of law and fighting crime, but also during the period of martial law promotes internal security, ensures public order and prevents any illegal actions on the territory of Ukraine.

The criminal police, which is one of the divisions of the National Police of Ukraine, due to the specifics of its activity, which includes operational and investigative activities, agent work and many other aspects, takes on an auxiliary role in identifying collaborators, enemy agent networks, as well as obtaining a number of information regarding enemy formations in the temporarily occupied territories.

Undoubtedly, the authorized bodies for such activities are the Security Service of Ukraine and Military Intelligence, but thanks to a wide range of connections among the population, operatives, who in peacetime in this way detected criminal offenses, now, using agents who have up-to-date operational information in the or other area, officers obtain data on the number, intent, and identity of hostile entities. And also, in turn, they can effectively learn about the number, composition and location of enemy troops, their direction of movement, equipment and even their purpose.

In addition, it should also be noted that ensuring legality and combating crime under martial law is no less important than protecting the territorial integrity of Ukraine. So, in this way, the criminal police, as the main unit that performs a driving role in detecting, documenting and solving criminal offenses, performs an important role in ensuring national security.

Therefore, as a conclusion, it should be noted that the National Police, in difficult times for the country, is not aloof and, in addition to the proper performance of the powers assigned to it, also performs a number of optional tasks that play an important role in ensuring national security and contributes to the defense of Ukraine, while the criminal the police, which is one of the most effective police units due to the specifics of its activities in peacetime, is very effective in the period of martial law, and it is thanks to its activities that entire enemy intelligence networks are exposed and a lot of operational information is obtained, which helps the armed forces in the protection of territorial integrity of Ukraine.

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Анотація

Кримінальна поліція, яка є одним із підрозділів Національної поліції України, в силу специфіки своєї діяльності включає оперативно-розшукову діяльність, агентурну роботу та багато інших аспектів, бере на себе допоміжну роль у виявленні колабораціоністів, ворожої агентури, а також отримання низки інформації щодо формувань противника на тимчасово окупованих територіях.

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PROTECTION OF CONSTITUTIONAL HUMAN RIGHTS IN THE ZONE OF MILITARY CONFLICT IN THE POLICE ACTIVITIES

As many people know, constitutional human rights are the highest level of inviolability among other normative legal acts that are used in the activities of the police or in other areas. In such cases, only temporary restriction of some rights of a citizen in connection with the situation is regulated.

So human rights, which are specified in the Constitution of Ukraine, have become limited since the beginning of martial law. First of all, in my opinion, it is the right to life and inviolability. Because every person now has a big threat to life due to frequent alarms and the unpredictability of the point of strike from the enemy. After the introduction of martial law in the state, the Law of Ukraine "On the Legal Regime of Martial Law" of 2015 was put into effect. It specifies the legal basis for the imposition of martial law. In particular, this is the Constitution of Ukraine, the Law itself, and the decree of the President of Ukraine on the imposition of martial law, approved by the Verkhovna Rada of Ukraine. The legal basis for this is the Constitution of Ukraine and this Law itself. Thus, "under martial law, the rights and freedoms of man and citizen provided for in part two of Article 64 of the Constitution of Ukraine cannot be restricted." Part 1 of Article 22 of the defined Law prohibits the use of torture, ill-treatment or punishment during the imposition of martial law [1].

Due to the profile of police officers, they are representatives of a state body, so among the main changes in human rights, there has been no particular change. As for the protection of people's rights, they must provide citizens with safety and, if necessary, first aid. Other legal relations between police officers and citizens leave a more friendly relationship in the form of cooperation.

Police officers carrying out their activities must meet a number of requirements for communicating qualities and professionalism. In particular, paragraph 3 of the Resolution of the Parliamentary Assembly of the Council of Europe "On the Declaration on the Police" states that a police officer must receive thorough general training, professional training and advanced training, as well as appropriate training on social problems, democratic freedoms, human rights and, in particular, the European Convention on Human Rights [3]. At the same time, in the performance of duties, the police enjoy sufficient independence from other state bodies in the process of performing the tasks entrusted to them, for which they must be fully responsible. The police should be organized in such a way as to promote good police relations with the public

and, where appropriate, effective co-operation with other bodies, local communities, non-governmental organizations and other members of the public, including ethnic minorities.

It should be noted that in Ukraine today the issue of police activities in the conditions of occupation of territories by a foreign state is quite relevant. In this regard, the Resolution of the Parliamentary Assembly of the Council of Europe "On the Declaration on the Police" states that a police officer must continue to carry out his tasks of protecting people and property during war and enemy occupation in the interests of the civilian population [2].

Taking into account the abovementioned, it can be concluded that the police is not a paramilitary formation, and performs only service functions to provide the population with relevant services that fall within the scope of its activities. Thus, the police, performing the functional duties assigned to it by the state, play a key role in maintaining a high level of law and order in the state, which in turn is an important guarantee of ensuring the rights and freedoms of man and citizen. We can assist in the protection of certain constitutional rights, but we cannot guarantee their full protection or integrity.

Література:

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Анотація

Поліція, виконуючи покладені на неї державою функціональні обов'язки, відіграє ключову роль у підтримці високого рівня правопорядку в державі, що в свою чергу є важливою гарантією забезпечення прав і свобод людини і громадянина. Ми можемо допомогти у захисті певних конституційних прав, але не можемо гарантувати їх повний захист або цілісність.

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STRATEGIES AND MEASURES TO PREVENT OFFENSES BY LAW ENFORCEMENT BODIES IN PEACETIME AND UNDER MARTIAL LAW CONDITIONS

Crime prevention in peacetime and under martial law becomes an important prerequisite for ensuring stability, security and harmony in society. Modern realities require law enforcement agencies to improve strategies and methods in order to effectively cope with the growing challenges in the field of security, therefore this issue is extremely relevant. In peacetime, law enforcement agencies play a key role in maintaining public order, protecting the rights and freedoms of citizens, and keeping criminality at an acceptable level. The growing complexity and international nature of threats, such as terrorism, cybercrime and other forms of organized crime, makes it extremely important to reform crime prevention strategies [2, p. 86]. Martial law conditions bring their own challenges and peculiarities, where maintaining public order and ensuring security require extraordinary measures and strategies. Against the background of risks associated with the escalation of conflicts, it is important to ensure transparency, legality and balance of measures applied by law enforcement agencies.

Table 1

№	Prevention of crimes in peacetime	Prevention of offenses under martial law
1.	<ul style="list-style-type: none"> - development of educational programs and information campaigns to raise citizens' awareness of their rights and responsibilities. - cooperation with the mass media for the positive formation of the image of the police and other law enforcement agencies [1, p. 68]. 	<ul style="list-style-type: none"> - development and implementation of crisis management plans for effective response to threats. - flexible management and rapid mobilization of reserves to support law enforcement.
2.	<ul style="list-style-type: none"> - application of modern methods and equipment for active patrolling of areas. - involvement of the community in cooperation in planning and execution of patrols 	<ul style="list-style-type: none"> - effective fight against disinformation and control over mass media to maintain stability. - using technologies to recognize and prevent cybercrimes.
3.	<ul style="list-style-type: none"> - creation of local public councils that promote mutual understanding and cooperation - organization of public initiatives to improve interaction between law enforcement agencies and the community. 	<ul style="list-style-type: none"> - implementation of measures to ensure security and protection of the civilian population under martial law conditions. - ensuring access to the judicial system and providing legal assistance in conditions of military conflict [3, p. 211].

Therefore, in peacetime it is important to focus on preventive measures, involvement of the public and the use of modern technologies to ensure the effectiveness of the law enforcement system. Partnerships with the community, citizen education and active street patrols are becoming fundamental aspects of ensuring safety. The conditions of martial law bring

their own challenges, but it remains important to preserve the principles of legality and protection of human rights, so effective crisis management, control over information and protection of the civilian population determine the success of conflict strategies.

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Анотація

У тезах розглядаються стратегії та заходи, спрямовані на запобігання правопорушенням правоохоронними органами в мирний час та в умовах воєнного стану. У мирний період акцент робиться на превентивних заходах, партнерстві з громадськістю та використанні сучасних технологій. В умовах воєнного конфлікту важливо забезпечити ефективне управління кризовими ситуаціями, контроль інформації та захист прав громадян. Аналіз цих стратегій висвітлює важливість збалансованого підходу до забезпечення безпеки та прав громадян в різних сценаріях, що виникають у сучасному світі.

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MEASURES OF STABILIZATION THE SITUATION BY THE NATIONAL POLICE IN THE DEOCCUPIED TERRITORIES UNDER THE CONDITIONS OF THE MARTIAL STATE

Starting from February 24, 2022, a full-scale war between Russia and Ukraine began, and martial law was introduced by Decree of the President of

Ukraine No. 64/2022[1]. All state institutions have undergone changes in their powers, rights and duties, competences. The National Police of Ukraine is no exception: a significant number of changes have been made to the legal acts that regulate its activities, which regulate the functioning of this law enforcement body and its competences during the period of martial law in the country, as well as the granting of additional powers to the central executive body.

The powers of the National Police of Ukraine were slightly expanded during martial law in the de-occupied and territories closest to the combat zone, which is due to the performance of special official tasks.

In accordance with part 2, article 24 of the Law of Ukraine "On the National Police" - In the event of a threat to the state sovereignty of Ukraine and its territorial integrity, as well as in the course of repelling armed aggression against Ukraine, bodies and units that are part of the police system, in accordance with of the legislation of Ukraine participate in the performance of territorial defense tasks, ensuring and implementing measures of the legal regime of martial law in the event of its declaration on the entire territory of Ukraine or in a separate area [2].

If we consider the term "stabilization measures", it is not defined and not fixed by law, but it is actively used to define the activities of the National Police in the de-occupied territories. According to the Minister of Reintegration of the Temporarily Occupied Territories of Ukraine, Iryna Vereshchuk noted that: "Stabilization measures are taking place within the limits of current legislation. This is a round of houses by police representatives who verify people. They check how many people are here, what they need. She continued that in the course of stabilization measures, there are no unjustified detentions. However, they exist when it is known for sure that one or another citizen of Ukraine cooperated with the occupiers" [3].

Based on this, we can define the term "stabilization measures" as a certain reintegration process for the de-occupied territory by law enforcement agencies, which primarily involves demining dangerous territory, ensuring law and order and returning social protection to citizens. Law enforcement is carried out by identifying persons who are suspected of collaboration, are members of sabotage-intelligence groups or occupiers dressed in civilian clothes. The presence of these persons in the de-occupied territory poses a threat to the civilian population [4].

The Minister of Internal Affairs of Ukraine, Ihor Klymenko, notes: "The Armed Forces of Ukraine always enter a settlement liberated from the Russians first, and immediately after them - units of the National Police of Ukraine, the National Guard and the State Emergency Service. From this moment, the hard work of restoring life in the de-occupied territory begins. Another direction of the work of the Ministry of Internal Affairs is to provide all local residents of the de-occupied territories with humanitarian aid. State

authorities must also resume their work. Stabilization measures are also carried out, during which collaborators are identified" [5].

Summarizing all of the above, it is possible to highlight the main stabilization measures in the de-occupied territories by the National Police:

- increasing the number of police officers on the streets and public places, as a result of which in the de-occupation zone, police officers usually work in an intensified mode in order to ensure security and prevent crimes;
- preparation of a system for alerting and responding to incidents of danger, as well as training and exercises conducted by police officers to increase their readiness to provide assistance in case of emergency situations;
- operational intelligence measures aimed at preventing terrorist or criminal acts;
- detection of sabotage groups, collaborators, servicemen of the Russian Federation who continue to hide in the de-occupied territories;
- traffic control measures, in particular, the establishment of highway patrol checkpoints;
- documentation by the National Police of the facts of administrative and criminal offenses under the conditions of the legal regime of martial law;
- measures to monitor and control social media, with the aim of identifying cooperation with the occupiers, which can be used for provocation;
- intelligence and special measures aimed at reducing the number of immediate terrorist threats;
- interaction with authorities and the public to ensure coordination in crisis management actions and responsibility opportunities on the territory;
- to introduce a curfew in accordance with the procedure determined by the Cabinet of Ministers of Ukraine (prohibition of being on the streets and other public places during a certain period of the day without specially issued passes and certificates), as well as to establish a special light masking regime [6].

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Анотація

У тезах вказано на значну кількість змін до нормативно-правових актів, що регулюють діяльність Національної поліції України, які регламентують функціонування цього правоохоронного органу та його компетенцію на період дії воєнного стану в країні.

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EUROJUST: EXPANDING COOPERATION IN THE FIELD OF CRIMINAL JUSTICE IN THE EUROPEAN UNION

Over the past thirty years, together with the closer integration of EU member states, changes have been introduced in the structures of law enforcement activities. Along with the creation of Europol, in 2002, Eurojust (European Union Agency for Cooperation in the Field of Criminal Justice) was introduced:

Eurojust plays an increasingly significant role in the promotion on the territory of the EU and in facilitating the cooperation of the judicial branch between the EU member states. Since its establishment in 2002, Eurojust has become a key hub in coordinating investigative authorities' investigations and subsequent criminal prosecutions, while ensuring a unified approach to combating and preventing cross-border crime.

Eurojust acts as a platform for communication and cooperation between national judicial authorities. Its main focus is on supporting and optimizing Member States' efforts to combat serious and organized crime, including but not limited to terrorism, human trafficking, drug trafficking and cybercrime. The agency acts as a catalyst for joint investigations, ensuring harmonization of judicial procedures and effective exchange of information [1].

Eurojust's powers are based on the principle of strengthening judicial cooperation in order to ensure the effectiveness of the existing criminal justice system both in the EU and in other countries. The agency, promoting

cooperation, provides a platform for communication between EU prosecutors and judges who work together on complex cases.

The agency coordinates investigations and prosecutions involving multiple jurisdictions, promoting a more holistic and coordinated approach to combating transnational crime. Eurojust supports member states in overcoming legal and procedural obstacles, optimizing the judicial process and increasing the efficiency of cross-border criminal investigations [1].

Eurojust is able to offer expert and legal consultations in order to help national authorities in understanding the peculiarities of the legal model of other member states and its main components.

Eurojust's activities are ensured thanks to several key normative documents, in particular:

Council Decision 2002/187/JHA: This decision established Eurojust to strengthen cooperation between national judicial authorities [2].

Regulation (EU) 2018/1727: This regulation provides the legal basis for the functioning of Eurojust. Adopted in 2018, it further strengthens the role of the agency and establishes provisions regarding its tasks, functioning and management structure [3].

According to the above Regulations, Eurojust reports to the relevant structures of the Council of the European Union and the apparatus of the European Parliament. The requirements for self-reporting are the ability to ensure supervision, accountability and transparency of Eurojust's activities.

Eurojust and Ukraine signed a Cooperation Agreement in June 2016, with the first Liaison Prosecutor Myroslava Krasnoborova taking up her duties in August 2018. In 2022, the Ukrainian Liaison Prosecutor was involved in 77 new cases, 36 coordination meetings, 2 coordination centres, and 17 joint investigation teams [1].

Thus, in five years, the Ukrainian Liaison Prosecutor was involved in 712 new cases, both as an involved participant and on its own initiative. A constant number of coordination meetings within the framework of cooperation with Eurojust is maintained. And the activities of the joint investigative teams increased almost threefold.

Table 1. Indicators of activities of the prosecutor in connection with Ukraine in Eurojust

	2018	2019	2020	2021	2022
New cases (total)	28	77	93	81	77
- of which initiating	4	22	35	23	20
- of which participating	24	55	58	58	57
Coordination meetings (initiating and/or participating)	8	23	19	39	36
Coordination centres (organising and/or participating)	2	2	3	2	2
Joint investigation teams (newly signed and/or ongoing)	6	9	19	14	17

Source: compiled by the authors based on (<https://www.eurojust.europa.eu/>, 2023)

Together, these structures (Europol and Eurojust) make the main contribution to the development of cooperation and coordination of law enforcement activities at the level of the European Union.

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Анотація

У тезах розглядається ключова роль Євроюсту, Агентства Європейського Союзу з питань співробітництва у сфері кримінальної юстиції, у зміцненні судової співпраці та підвищенні ефективності боротьби з транскордонною злочинністю. Заснований у 2002 році, Євроюст діє як каталізатор координації та співпраці між національними судовими органами в розслідуванні та судовому переслідуванні серйозних та організованих злочинів.

Розглядаються різні аспекти ролі Євроюсту, зокрема його діяльність як платформи для обміну знаннями та співпраці, спрямованої на підтримку національних зусиль у боротьбі з тероризмом, торгівлею людьми, наркотиками та кіберзлочинністю. Мандат Євроюсту, який визначено низкою нормативних документів, включає сприяння співпраці, координацію розслідувань, підтримку держав-членів та надання експертних знань.

У тезах детально аналізуються нормативні документи, що визначають діяльність Євроюсту, зокрема Рішення Ради 2002/187/JHA та Регламент (ЄС) 2018/1727. Зазначається, що Євроюст звітує перед Радою Європейського Союзу та Європейським парламентом, забезпечуючи нагляд, підзвітність та прозорість своєї діяльності.

Підсумком тез є огляд останніх результатів та діяльності Євроюсту, зокрема в рамках щорічних звітів, які містять інформацію про розглянуті справи, ефективність кримінального переслідування та вплив агентства на співпрацю у сфері кримінального правосуддя.

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LIMITATION OF HUMAN RIGHTS UNDER THE CONDITIONS OF MARTIAL STATE: HISTORICAL EXPERIENCE

The introduction of martial law in any state from the beginning of the existence of this legal institution involved a significant restriction of the rights and freedoms of citizens guaranteed in peacetime. Since, not taking into account the limited introduction of martial law in 2019, our state fully faced such a situation for the first time, it would be logical to turn to the experience of Western countries in maintaining a balance between the need to maintain the foundations of national security and the danger of destroying basic democratic institutions. The problem with borrowing such experience is that the vast majority of states that we conventionally call "Western" implemented martial law for the last time more than 80 years ago, during the Second World War. The exception is Israel, which has been in a state of permanent war with its neighbors almost since its foundation. Also, the introduction of martial law was discussed in the British Parliament during the post-Brexit riots [1].

In the conditions of the Second World War, Western states applied an extremely wide range of restrictions on the rights and freedoms of citizens, including: - denial of freedom of the press and freedom of speech due to the introduction of military censorship; - refusal of secrecy of correspondence (perilustration of correspondence, and not only military letters); - extrajudicial persecution of persons who professed politically hostile views (for example, the imprisonment of the leaders of the British Nazi Party); - isolation in camps or deportation of the population on ethnic grounds (Japanese in the USA, Germans and Japanese in the territory of the British Empire, etc.). - refusal of international obligations regarding the rules of warfare (in particular, the mass use of weapons of indiscriminate action against the civilian population during the bombing of Germany and Japan) [2]. The fact that similar measures were taken using the sovereign legislation of European and American states is noteworthy, since there were almost no international obligations in terms of guaranteeing human rights and freedoms (with the exception of international conventions on the rules of waging war and the treatment of prisoners of war, which, we note right away, were also ignored in many aspects by both the Axis countries and the United Nations). Therefore, the historical experience

of democratic countries indicates that the range of restrictions on rights and freedoms in the event of the introduction of martial law can be very wide. Unfortunately, the value of this experience is questionable, since similar cases with single exceptions occur during the Second World War, that is, in radically different legal, economic and political realities, which makes the use of analogies meaningless. That is, Ukraine will have to find its own approaches to the problem in any case, which is complicated by the lack of a consistent domestic policy and critical dependence on the international community.

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Анотація

У тезах розглянуто історичний досвід обмеження прав людини під час воєнного стану, на жаль, цінність цього досвіду є сумнівною, оскільки подібні випадки з одиничними виключеннями припадають на період Другої світової війни, тобто в радикально інших правових, економічних та політичних реаліях, що позбавляє сенсу використання аналогій. Тобто Україні в будь-якому доведеться шукати власні підходи до проблеми, що ускладнюється відсутністю послідовної внутрішньої політики та критичною залежністю від міжнародної спільноти.

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LEGAL ASPECTS OF POLICE ACTIVITY UNDER MARTIAL LAW

It would be appropriate to start with the fact that due to the implementation of the legal regime of martial law as a result of the armed aggression of the Russian Federation against our country, it became necessary to amend a fairly wide range of legal acts in order to adapt law enforcement acts to the realities of war. In particular, such changes were necessary in the activities of the National Police of Ukraine, which plays a rather important role in ensuring public order and security process. That is why, on 15.03.2020, the laws "On Amendments to the Laws of Ukraine "On the National Police" and "On the Disciplinary Statute of the National Police of Ukraine" were adopted, which aimed to optimize the national police's activities in wartime [1].

Firstly, the armed aggression against our country poses new challenges to police officers, and therefore, it would be worthwhile to consider these issues in more detail. Referring to the above-mentioned Law of Ukraine on Amendments, it can be noted that it amended and regulated the most general provisions relating to the police activities during the period of martial law. Particularly, it states that during such a period, the national police bodies act in accordance with their purpose, considering the restrictions on rights, freedoms and interests established by the legal regime of martial law, while taking into account the general provisions of the Constitution and the Law of Ukraine "On the Legal Regime of Martial Law".

If we talk about the most significant provisions introduced by this legislative act, they should include the following:

1. In certain cases, clearly stipulated by law, national police officials have the right to perform their official duties without carrying special badges;

2. Police officials have the right to receive information related to prisoners of war from state authorities and local self-government bodies, as well as state-owned legal entities;

3. Additional rights of policemen to use improvised means in the process of repelling an attack that threatens the life or health of a policeman or another person, or during the detention of a person, if such a person resists, have been added;

4. Expanding the ability of policemen to use coercive measures, including physical coercion, special means and weapons against persons involved in armed aggression against Ukraine for the period of martial law;

5. Exclusion of the obligation for policemen to undergo certification for the period of martial law [2].

Secondly, it should be noted that this legislative act did not solve all the problems related to the activities of the National Police of Ukraine during the legal regime of martial law, since its adoption did not take into account the real conditions of police officials during martial law. Specifically, the amendments did not take into account the provisions of Article 12 of the Law of Ukraine "On Peculiarities of the State Policy on Ensuring the State Sovereignty of Ukraine in the Temporarily Occupied Territories in Donetsk and Luhansk Regions", which provides for a fairly broad list of rights of law enforcement officials aimed at protecting the vital interests of the state and society in the process of repelling armed aggression against our country (for example, checking people's documents, and in case of absence of detention, entry into residential and other premises, land plots to repel armed aggression, etc.) [3].

From my point of view, the work of law enforcement agencies during wartime has become quite complicated, because now they are engaged not only in the protection of human rights and freedoms, but also in the protection of our state. As an example, there are many russian saboteurs in our country

who take pictures of infrastructure, military units and facilities and send this information on to their contacts in russia. The National Guard of Ukraine arrested one of them and handed the case over to the Security Service of Ukraine to clarify the circumstances. Vigilance, intelligence, and attention are the things that our state defenders have. GLORY TO UKRAINE.

Література:

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Анотація

Тези актуалізують питання діяльності поліції в умовах воєнного стану та внесення змін законодавством щодо загальних положень. Під час воєнного стану працівники діють згідно свого призначення із урахуванням загальних положень Конституції та Закону України «Про правовий режим воєнного стану». Росія в збройній агресії проти нашої держави виконує роль правопорушника з яким доводиться боротись не тільки в межах бойових дій, а й в межах запобігань інформації до засобів масової інформації, які злочинно передаються до противника.

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MODERNIZATION OF THE POLICE IN WARTIME

The modernization of police forces during wartime is a multifaceted and dynamic process that involves adapting law enforcement agencies to the unique challenges presented by armed conflicts. Wartime conditions often

necessitate a reevaluation of traditional policing strategies and the incorporation of specialized training, technologies, and operational approaches. This introduction provides an overview of the key aspects and considerations involved in the modernization of police forces during periods of armed conflict.

The nature of modern conflicts has evolved, with asymmetrical warfare, insurgencies, and non-state actors playing prominent roles. In response, police forces must adapt to unconventional threats that blur the lines between traditional law enforcement and military operations. Wartime environments pose unique challenges to law enforcement, including heightened security risks, increased criminal activities, and potential collaboration with military forces [1]. Modernizing police forces involves addressing these challenges while upholding human rights standards and the rule of law.

The modernization process involves incorporating advanced technologies, surveillance systems, and intelligence-sharing mechanisms. These tools enable more effective information gathering, threat assessment, and response coordination, enhancing the overall capabilities of police forces in wartime. Police officers require specialized training to operate in complex and dynamic wartime settings. Training programs should focus on areas such as conflict resolution, cultural sensitivity, and collaboration with military counterparts [2]. Additionally, officers may need expertise in handling new technologies and unconventional threats. Maintaining trust between the police and the community becomes even more critical during wartime. Modernization efforts should emphasize community engagement strategies, fostering relationships that enhance cooperation and support for law enforcement activities [3].

The modernization of police forces in wartime must be conducted within the framework of international humanitarian law and human rights principles. Striking a balance between security imperatives and the protection of individual rights is essential to ensure legitimacy and accountability [4]. Examining case studies of police modernization efforts during past conflicts can offer valuable insights into successful strategies and potential pitfalls. Identifying best practices can guide the development and implementation of effective policies.

The role of police in wartime undergoes significant changes compared to their peacetime responsibilities. While traditional policing focuses on maintaining law and order within communities, the role of police in wartime extends to broader security and humanitarian efforts. Here are key aspects of the role of police during times of armed conflict [5].

One of the primary roles of police during wartime is to maintain internal security and stability. This involves preventing and responding to criminal activities, ensuring public safety, and protecting critical infrastructure within the jurisdiction. In situations where armed groups or insurgents threaten the state's authority, police may be involved in counterinsurgency operations [6].

This includes identifying and neutralizing insurgent elements, disrupting their activities, and regaining control over contested areas.

Police forces are often at the forefront of efforts to counter terrorism during wartime. This may involve intelligence gathering, conducting raids, and preventing or responding to terrorist attacks within the civilian population [7].

Police may be tasked with controlling the movement of the civilian population during wartime. This can include enforcing curfews, regulating access to certain areas, and conducting security checks to prevent infiltration by hostile elements. In addition to their traditional law enforcement roles, police may be involved in providing humanitarian assistance [7].

This could include facilitating the delivery of aid, protecting aid workers, and assisting displaced populations. Police often collaborate with military forces, and their roles may intersect in areas of conflict. While the military primarily focuses on combat operations, police contribute by maintaining order in areas under military control, managing displaced populations, and addressing civilian concerns [8].

Police are responsible for safeguarding critical infrastructure such as power plants, water facilities, and communication networks. Protecting these assets is crucial for both military operations and the well-being of the civilian population. In some contexts, police officers may be embedded with military units to handle law enforcement tasks in areas under military control [9]. This can include investigating crimes, apprehending suspects, and maintaining order. Wartime situations often result in humanitarian crises and natural disasters. Police play a role in crisis response, including search and rescue operations, evacuation of civilians, and maintaining order in the aftermath of disasters. Following the cessation of hostilities, police are involved in post-conflict reconstruction efforts. This includes rebuilding law enforcement institutions, addressing the root causes of conflict, and transitioning from wartime to peacetime policing [10].

In conclusion, the modernization of police forces during wartime is a crucial and complex undertaking that requires a thoughtful and adaptive approach. As armed conflicts evolve in nature and scope, police forces must adjust their strategies, capabilities, and roles to effectively address the unique challenges presented by wartime conditions.

The changing dynamics of warfare, characterized by asymmetrical threats, insurgencies, and non-state actors, necessitate a reevaluation of traditional policing methods. The introduction of advanced technologies, intelligence integration, and specialized training is paramount for enhancing the overall effectiveness of police forces in maintaining internal security and stability during times of conflict.

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Анотація

У цих тезах йдеться про процес і дослідження модернізації поліції під час війни, зосереджуючись на сучасних контекстах і викликах. У ній розглядається необхідність адаптації правоохоронних практик для ефективного реагування на нові загрози безпеки та підтримання громадського порядку під час конфлікту. У статті досліджуються такі стратегії, як технологічний прогрес, навчальні ініціативи та організаційні реформи, спрямовані на посилення сприйнятливості та ефективності поліцейських сил у сценаріях воєнного часу. Крім того, в ній оцінювалися етичні та правові міркування, пов'язані з модернізацією поліції, включаючи проблеми, пов'язані з громадянськими свободами,

підзвітністю та значною мілітаризацією правоохоронних органів. За допомогою аналізу поточної практики і тематичних досліджень стаття має на меті виявлення про складнощі і дослідження модернізації поліції в умовах збройного конфлікту.

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ISSUES OF HUMAN AND CITIZEN RIGHTS DURING MARTIAL WAR

The harsh reality that is observed in the atmosphere of war clouds the brightest ideas and ideas about human rights and freedoms, because of this, high legal matters of guaranteed opportunities are seen as illusory. A minor violation of rights can be considered fair where there is no war, as long as you imagine the scale of the chaos generated by it. However, in this context, it is worth referring to the words of Martin Luther King: "Darkness cannot dispel darkness: only light can. Hate cannot destroy hate: only love can. Hate breeds hatred, violence breeds violence, and rudeness breeds rudeness" [2, Art. 28].

Most often, in the conditions of war, the basic human right - the right to life - becomes defenseless. Armed military aggression leads to killings, bodily harm, abduction of people in occupied territories and forced removal, torture and inhuman treatment, rape and other forms of violence are direct violations of both the right to life and the right to dignity and integrity. In addition, causing harm to health as a result of injuries, impossibility of access to medicine is a violation of the human right to health care. Damage or destruction of property, violation of property rights as a result of seizure of property, restriction of human rights in the occupied territory, seizure of children and separation from parents, violation of the right to education, etc. Unfortunately, this list of violations is not exhaustive, but the existing system of legal forms and methods of protection will help restore the violated right and compensate for the damage caused [1].

The rights and freedoms of a person and a citizen are fundamental values that guarantee the dignity, autonomy and development of every person. They form the basis for the formation and socialization of an individual, allowing the latter to freely express his thoughts, beliefs and ideas, to choose life goals and ways to achieve them. The issue of human and citizen rights under martial law is extremely complex and multifaceted. A state of war reflects a state of society when a country faces major security threats or experiences internal or external aggression. Under such conditions, the question arises as to how to ensure the security of the nation without violating the basic rights and freedoms of people. The war started by Russia against Ukraine on February 24, 2022, became a turning point for the entire Ukrainian

people and affected all spheres of public life. At that time, for the first time in the years of its independence, Ukraine found itself under martial law, the legal regime of which covered its entire territory and became the cause of restrictions on human rights and freedoms [3, p. 96].

The full-scale invasion of Russia on the territory of Ukraine, the conduct of hostilities against Ukrainian society put on the agenda the issue of preserving the lives of the Ukrainian population, ensuring sovereignty and restoring the territorial integrity (violated by the temporary occupation of part of the territory) of Ukraine. In addition, it should be added that under such conditions, the issue of ensuring human rights gained special importance. Russia's military actions, in particular the use of prohibited means and methods of waging war, the systematic violation of other norms of humanitarian law, lead to massive violations of the human rights of the civilian population, such as torture, deprivation of liberty, destruction of property, etc.

In the conditions of war, the European Court of Human Rights remains an institution that acts as a guarantor of the implementation of the provisions of the Convention on the Protection of Human Rights and Fundamental Freedoms. In the practice of this Court, there are decisions in which both interstate and individual cases are considered. One of the important issues that the Court is clarifying is the issue of jurisdiction: which state exercises effective control over the relevant territory. One of the circumstances that influenced the consideration of cases against Russia is the termination of its participation in the Convention on the Protection of Human Rights and Fundamental Freedoms in September 2022 [4, p. 3].

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Анотація

У тезах автор порушує проблему порушенням права людини на життя, на гідність та недоторканність через збройну військову агресію, що призводить до вбивств, тілесних ушкоджень, викрадення людей на захоплених територіях і примусового вивезення, катування та

нелюдського поводження, згвалтування та інших форм насильства. В роботі зазначається перелік порушення прав людини та громадянина під час вторгнення Росії на територію України.

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FEATURES OF THE IMPLEMENTATION OF THE SCANDINAVIAN MODEL ENSURING PUBLIC SAFETY AND ORDER DURING MASS EVENTS IN THE ACTIVITIES OF THE NATIONAL POLICE OF UKRAINE

One of the fundamental rights enshrined in Art. 39 of the Constitution of Ukraine - citizens have the right to assemble peacefully, without weapons, and to hold meetings, rallies, marches and demonstrations, - the executive power bodies or local self-government bodies are notified of their holding in advance. Restrictions on the exercise of this right may be established by the court in accordance with the law and only in the interests of national security and public order to prevent riots or crimes, to protect public health or to protect the rights and freedoms of other people [1].

Among the entities that ensure the appropriate level of public safety and order, the National Police of Ukraine takes the leading place. With the implementation of the reform and the adoption of the Law of Ukraine "On the National Police", new principles of police activity were introduced, which are aimed at serving society by ensuring the protection of human rights and freedoms, combating crime, maintaining public safety and order [3].

In the sphere of internal affairs scientific literature, there are such scientists as: L.K. Bayrachna, I.V. Vlasenko, M.Ya. Hutsulyak, M.M. Denisova, O.S. Denisova, A.B. Melnyk, O.S. Pronevich, S.P. Rabinovych, M.L. Sereda, O.V. Sichkar, O.S. Sklyar, O.I. Ulyanov, A.E. Shevchenko and L.V. Yarmol.

Strengthening the guarantees of citizens' rights in the field of public order depends not only on updating legislation, but also on improving:

- a) organizational structure of the police;
- b) improving the qualifications of law enforcement officers;
- c) technical, material and psychological support;

d) introduction of positive international experience into national practice. The Order of the Ministry of Internal Affairs of Ukraine No. 706 dated August 23, 2018 "On the approval of the Concept of the implementation of the Scandinavian model of ensuring public safety and order during mass events in the activities of the bodies and units of the National Police of Ukraine" established the implementation of the latest European technologies for ensuring public safety and order during mass events in Ukraine [4].

The proactive activity of the police directly affects the level of the public sense of security, which in leading European states is recognized as one of the fundamental criteria for evaluating the effectiveness of the police as a specialized institution of the executive power, called to carry out crime prevention, as well as identify and neutralize threats to public safety and order. The feeling of security is determined by the level of development of society, the effectiveness of law enforcement agencies, the level of legal culture and the dominant value system [5].

The main purposes of introducing the Scandinavian model are: – ensuring the constitutional rights and freedoms of citizens; – minimization of physical contact between police officers and participants of mass events; – prevention of injury to people and damage to property.

Patrick Johansen, the leading adviser of the CEU on public order issues, noted that the key element of the whole concept is de-escalation, which includes four main components: – having information about who is participating in a mass meeting; – the ability to distinguish groups that are part of a crowd and identify risks; – constant dialogue with the organizers of the event and the actual participants of the mass meeting; – facilitation.

The main components of the Scandinavian system are: – use of "gold", "silver" and "bronze" management; – involvement of "dialogue police"; – influencing the crowd and encouraging citizens to leave the aggressive zone on their own; – involvement of special equipment to control the crowd; – application of displacement tactics due to special equipment; – police officers are located and move behind special equipment; – each group of police officers has an operator who records the actions of police officers and criminals; – at the first stage, police officers are involved without shock-proof equipment, there are no shields; – constant monitoring of crowd aggression (at a distance); – in extreme cases, police officers are equipped with anti-shock kits, which are in special equipment; – physical influence only against citizens who commit offenses and crimes [6].

An important element of the Scandinavian model, which increases the effectiveness of police work, is the use of a "differentiated approach", that is, increasing or decreasing the number of police officers who ensure public order during events, according to the situation.

It should be noted that in order to implement the Concept of introducing the Scandinavian model of ensuring public safety and order during mass events into the activities of the National Police of Ukraine, significant changes have taken place in the work of the police. First, a "dialogue police" was created - "negotiators" during mass events communicate with organizers and participants from the moment of submitting an application for its holding until the end of the event. Secondly, the National Police has approved Standard Operating Procedures for ensuring public safety and order. Thirdly, approaches to the organization of work have changed: constant communication with event participants by actively using the possibilities of

"dialogue police"; high mobility of the involved forces, which is achieved by the use of specialized vehicles; minimization of the demonstration of force (a police officer in protective equipment as an exception and a forced measure) [2].

Therefore, it can be stated that the proactive approach is comprehensively embodied in the Scandinavian model of ensuring public safety and order during mass events, and its implementation in the activities of the bodies and units of the National Police of Ukraine is an effective means of implementing democratic principles in police activity, ensuring basic rights and freedoms citizens, especially in the exercise of their right to freedom of assembly and will increase the level of citizens' trust in the police.

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Анотація

У тезах висвітлюється важливість реформи поліції в Україні, зокрема застосування «Скандинавської моделі» для забезпечення громадської безпеки та порядку з акцентом на важливості діалогу, диференційованого підходу та проактивної діяльності поліції для забезпечення конституційних прав і свобод громадян.

Horbachova D.

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PECULIARITIES OF COMPENSATING INDIVIDUALS FOR DAMAGES CAUSED BY MARTIAL LAW

During wartime in Ukraine martial law has been imposed on the territory of Ukraine, which is still in force. The issue of compensation for damage caused to individuals as a result of hostilities, terrorist acts, sabotage caused by the armed aggression of the Russian Federation against Ukraine requires additional attention.

One of the consequences of a criminal offence is damage, which is subject to compensation in accordance with the procedure established by law. In Ukraine, the legal basis for such compensation to a person who has been the victim of a criminal offence is provided by civil law.

In order to claim compensation, the victim must provide sufficient evidence of pecuniary and non-pecuniary damage and a link between the damage and the crime. In cases where the perpetrators are unable to compensate or have not been identified, some types of damage may be compensated by the State through a special compensation fund.

Pursuant to Article 1177 of the Civil Code of Ukraine, damage caused to a person as a result of a criminal offence shall be compensated in accordance with the law. Damage caused to a victim as a result of a criminal offence shall be compensated from the State budget of Ukraine in the cases and in the manner prescribed by law [1]. In accordance with Part 1 of Article 127 of the Criminal Code of Ukraine, a suspect, an accused person, as well as, with his consent, any other natural or legal person, at any stage of criminal proceedings, has the right to compensation for damage caused to the victim, the territorial community or the state as a result of a criminal offence.

According to the part 2 of this article, the damage caused by a criminal offence or other socially dangerous act may be compensated by a court decision based on the results of consideration of a civil claim in criminal proceedings [2].

The state has not established a mechanism for obtaining compensation for the rights of victims of criminal offences, and therefore the rights of these persons remain unprotected in Ukraine today.

A crime, as one of the types of offence, is characterised by the most serious encroachment on the victim and his or her legitimate rights and interests. Its socially harmful consequences affect many areas of public life, including the area of property. Property liability, in the form of full compensation for the damage caused by a criminal offence, is intended to contribute to the fight against criminal offences themselves and to ensure the necessary protection of a person's property rights and interests.

After the end of the conflict, Ukraine plans to initiate proceedings against Russia for the enforcement of funds (compensation, contribution) to compensate for all property damage caused by the hostilities.

Since in the context of armed aggression most of the damage is qualified as a violation of criminal law, in other words, the issue of compensation for damage (moral and material) should be resolved in criminal proceedings.

Taking into account the norms of international humanitarian law, responsibility for war crimes committed on the territory of Ukraine should be borne not only by persons who are members of the armed forces of the belligerent state and directly participate in hostilities (combatants), but also by the leadership of the aggressor state as a whole.

The registered fact of committing a military criminal offence, further pre-trial investigation and collection of evidence in criminal proceedings shall constitute grounds for the victim to claim compensation for the damage caused to him/her in accordance with the procedure provided for by law. The main Law of Ukraine "On compensation for damage and destruction of certain categories of real estate as a result of hostilities, terrorist acts, sabotage caused by the armed aggression of the Russian Federation against Ukraine and the State Register of Property Damaged and Destroyed as a Result of Hostilities, Terrorist Acts, Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine" of 23.02.2023 [3].

This law defines the legal and organisational framework for compensation for damage to and destruction of certain categories of real estate as a result of hostilities, terrorist acts, sabotage caused by the armed aggression of the Russian Federation against Ukraine.

Article 2 of the Law defines the categories of citizens who can receive compensation for damaged/destroyed real estate, including: individual citizens of Ukraine who own damaged/destroyed real estate; clients of construction works; persons who have invested/financed construction works, etc.

Other legal acts that serve as a legal basis for compensation of damage caused to an individual as a result of hostilities, terrorist acts, sabotage caused by the armed aggression of the Russian Federation against Ukraine include:

1) Resolution of the Cabinet of Ministers of Ukraine of 20 March 2022 "On Approval of the Procedure for Determination of Damages and Losses Caused to Ukraine as a Result of the Armed Aggression of the Russian Federation", which establishes the procedure for determination of damages and losses caused to Ukraine as a result of the armed aggression since 19 February 2014 [4];

2) Resolution of the Cabinet of Ministers of Ukraine of 30 May 2023 No. 600 "On Approval of the Procedure for Providing Compensation for Destroyed Real Estate", which establishes the mechanism for providing compensation for destroyed real estate and its use in accordance with Law [5].

Compensation in these cases should be paid from the Compensation Fund for Victims of the Armed Aggression of the Russian Federation, as some disputes can only be resolved with the involvement of a judicial institution and are not within the competence of the Fund [6].

Thus, the legal regulation of compensation to an individual victim of a criminal offence for damage and destruction of certain categories of real property as a result of hostilities, terrorist acts, sabotage caused by the armed aggression of the Russian Federation against Ukraine is provided for in a number of legislative acts that need to be finalised with a view to extending the range of entities entitled to compensation for destroyed or damaged property as a result of hostilities, terrorist acts, etc. It is also necessary to note that citizens of Ukraine have the right to bring a civil action in court to protect their violated, denied or disputed rights, freedoms or legitimate interests in accordance with the norms of civil law.

It should also be noted that citizens of Ukraine have the right to file a lawsuit to protect their violated, unrecognised or disputed rights, freedoms or legitimate interests in civil proceedings in accordance with the norms of international humanitarian law, with the aggressor state - the Russian Federation - as the defendant.

Література:

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Анотація

У тезах розглядаються унікальні виклики та правові аспекти, пов'язані з відшкодуванням збитків, завданих особам під час воєнного стану, а також правові аспекти, що стосуються компенсації збитків, завданих під час воєнного стану. У ній досліджуються правові рамки та прецеденти, що регулюють такі компенсації, зокрема, роль відповідальності уряду, обмеження щодо позовів та перетин громадянських свобод із заходами національної безпеки. Крім того, він заглиблюється в тематичні дослідження або історичні випадки, щоб проілюструвати практичне застосування та складнощі у виплаті компенсацій особам, які постраждали від воєнного стану. Аналізуючи ці особливості, стаття має на меті дати уявлення про правовий ландшафт, що змінюється, та баланс між правами людини і державною владою під час посилення заходів безпеки.

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THE PREVENTION OF CRIME BY LAW ENFORCEMENT AGENCIES DURING PEACE AND MARTIAL LAW

According to the Law of Ukraine "On the National Police of Ukraine," one of the main powers of the police is to prevent the commission of offenses [2], both administrative and criminal, but since the beginning of the full-scale war on the territory of our state, and subsequently the introduction of martial law in Ukraine raised an acute question, on the adaptation of measures taken by police units in this area of police activity and new challenges under these conditions.

In this work, we draw attention precisely to the consideration of the issue of the emergence of problematic factors in the field of preventing the commission of administrative and criminal offenses by a community police officer during martial law, because a community police officer, under the above conditions, receives a significant additional burden. Therefore, in our opinion, this issue needs further consideration.

The police officers of the communities are obliged in accordance with the Order of the Ministry of Internal Affairs of Ukraine dated 28.07.2017 No. 650 "On Approval of the Instructions for the Organization of the Activities of District Police Officers and Police Officers of the Communities," namely: "implementation of preventive measures aimed at preventing the commission of criminal and other offenses, identifying the causes and conditions leading to the commission of criminal and/or administrative offenses, taking measures within the competence to eliminate them" [1].

Therefore, as we already have mentioned above, a number of problematic factors have arisen in connection with recent events, which complicates the work in this area of activity of community police officers, namely:

- the emergence of a potential constant threat to the life and health of the policeman himself, as well as the population living in the territory of the controlled community, through constant shelling by the enemy, the emergence of zones of active warfare;

- the emergence of communities with increased danger, which can include de-occupied territories, territories of communities where active hostilities are conducted;

- the appearance on the territory of communities of a more socially vulnerable category of the population, namely internally displaced persons;

- the work of sabotage forces and spies of the enemy, according to the SSU press service from the beginning of full-scale aggression of the Russian Federation, the Security Service of Ukraine is investigating more than 1.5 thousand criminal proceedings on the facts of high treason and espionage, and law enforcement officers detained more than 600 saboteurs and spies [3], these statistics confirm that the possibility of finding sabotage forces and spies of the enemy in the territories of the community with the beginning of the deployment of war has grown several times;

- propaganda activities of a terrorist country, it is not necessary to ignore the information war, which is also waged by the enemy, in order to undermine the population's confidence in state bodies, inclination to cooperate with the enemy, as well as disbelief in the forces of our country, these actions can affect the population negatively, inciting it to commit offenses, which significantly increases the level of crime in the community.

All these factors negatively affect the population of the territorial community, as well as increase the risks of offenses committed by citizens, for economic, social, political or other reasons. Therefore, these factors require further in-depth study and search for their solution or their improvement, by developing adapted measures to prevent administrative and criminal offenses by community police officers during martial law.

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Анотація

У роботі розглянуте питання щодо нових проблемних факторів у сфері запобігання вчинення адміністративних та кримінальних правопорушень з боку поліцейського офіцера громади під час воєнного стану. Було виокремлено та проаналізовано проблемні фактори у даній сфері, їх вплив на населення територіальної громади та надано пропозиції з приводу їх вирішення.

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INTERNATIONAL HUMANITARIAN LAW AND HUMAN RIGHTS LAW: COMMON AND DISTINCTIVE

International Humanitarian Law (IHL) and International Human Rights Law are two distinct but complementary bodies of law. They are both concerned with the protection of life, health and dignity. In this article we'll try to disclose common and different sides of these phenomena.

International Humanitarian Law developed as the law of international armed conflicts and was therefore necessarily international law in the traditional sense, an objective legal order governing inter-State relations. Its main objective was always to protect individuals, but that protection was not expressed in the form of subjective rights of the victims; rather, it was a consequence of the rules of behaviour for States and (through them) of individuals.

Human rights have only recently been protected by international law and are still today mainly protected by national law (though not of exclusively domestic concern). They were always seen and formulated as subjective rights of the individual and of groups in respect of the State – mainly their own State.

Both branches of international law are today largely codified. IHL, however, is codified in a broadly coherent international system of binding universal instruments of which the more recent or specific clarify their relationship with the older or more general treaties. International Human Rights Law, conversely, is codified in an impressive number of instruments – universal or regional, binding or exhortatory, concerning the whole subject, its implementation only, specific rights or their implementation only – that emerge, develop, are implemented and die in a relatively natural, uncoordinated way.

Because of the philosophical axiom driving them, International Human Rights Law is applied to everyone everywhere, and as they are concerned with all aspects of human life, they have a much greater impact on public opinion and international politics than IHL, which is applicable only in armed conflicts that are themselves to be avoided. IHL is therefore increasingly influenced by human rights-like thinking.

The concurrent application of International Human Rights and Humanitarian Law can happen only when a series of objective conditions are met. International Humanitarian Law being essentially a body of law applicable to armed conflict, the existence of a situation amounting to an armed conflict is necessary to trigger its applicability in conjunction with international human rights law. However, be noted that a number of International Humanitarian Law obligations require action before a conflict begins or after a conflict ends. For example, States must provide training in International Humanitarian Law to their armed forces in order to prevent potential abuse; States must also encourage the teaching of International Humanitarian Law to the civilian population; domestic legislation must be adopted implementing its relevant provisions, including the obligation to include war crimes in domestic law; States must also prosecute persons who have committed war crimes. One category of war crimes, grave breaches of the Geneva Conventions and of Protocol I, must be prosecuted according to the principle of universal jurisdiction, i.e., independently of where the crime has been committed and of the nationality of the offender and of the victims. Thus, some violations of International Humanitarian Law could be established and their perpetrators punished outside the time frame and the geographical context of an actual armed conflict.

IHL is applicable in armed conflicts only. Meantime, International Human Rights Law is applicable in all situations. All but the non-derogable provisions, the “hard core” of International Human Rights Law, however, may be suspended, under certain conditions, in situations threatening the life of the nation. As those situations do not only include armed conflicts, which trigger

IHL's applicability, the complementarity remains imperfect; in particular, a gap exists in situations of internal disturbances and tension in which IHL does not apply.

International armed conflicts normally threaten the life of States parties and non-international armed conflicts threaten the life of the State on the territory of which they occur. There are however controversies regarding the need and possibility to derogate for a State involved in a non-international armed conflict outside its own territory. In our view, if a State is bound by human rights on the territory of another State, it must also be able to derogate based upon the situation in that territory.

While it is an important rule of International Human Rights Law that all human beings benefit equally from these rights, the traditional approach of IHL, consistent with its development as inter-State law, is essentially to protect enemies. IHL therefore defines a category of “protected persons”, consisting basically of enemy nationals, who enjoy comprehensive protections. Nevertheless, victims of armed conflicts who do not fall under the legal category of “protected persons” do not completely lack protection. In conformity with and under the influence of International Human Rights Law, all persons affected by armed conflicts benefit from a set of protective rules, which, however, never offer the full protection foreseen for “protected persons”.

In conclusion, it is worth saying that ensuring constitutional human rights during operations in a military conflict zone is of primary importance to uphold the principles of fairness, justice and respect for human dignity even in the most difficult circumstances. As for the national law enforcement, the role of the police goes beyond simply maintaining law and order; it embodies the guardianship of fundamental freedoms and liberties, especially in environments where conflict and chaos prevail. Effective protection of constitutional human rights requires a delicate balance between ensuring public safety and respecting individual rights. That is why, law enforcement agencies must strictly adhere to the established legal framework and International Humanitarian Law, even in difficult conditions of armed conflict. In addition, robust oversight mechanisms and accountability measures are needed to prevent abuse of power and maintain public confidence in the police.

In conclusion we may say that, ultimately, a commitment to protecting constitutional human rights serves not only to preserve the rule of law, but also to promote long-term peace, stability and reconciliation in conflict-affected regions. It is through unwavering commitment to these principles that the police can fulfill their duty to serve and protect all members of society, regardless of the challenges of war.

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Анотація

Стаття присвячена розгляду міжнародного гуманітарного права (МГП) і міжнародного права прав людини як двох різних, але взаємодоповнюючих норм права, розкрито спільні та відмінні риси цих понять. Наголошено, що обидві галузі міжнародного права сьогодні значною мірою кодифіковані в узгодженій міжнародній системі зобов'язуючих універсальних документів; розглянуто сфери застосування цих галузей права.

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ADMINISTRATIVE AND LEGAL FRAMEWORK FOR COORDINATION OF LAW ENFORCEMENT ACTIVITIES

The state ensures the vital activity of society as a system through the use of power, and the law - through normative regulation. In the context of the formation of the foundations of the rule of law in Ukraine, the role and importance of legal regulation of social relations are of particular relevance. According to M.I. Inshyn, given the importance of law enforcement for society, the increased demand for the results of this type of social activity and the mandatory existence of control over law enforcement by the public, it is safe to say that there is an urgent need for clear, consistent, transparent legal regulation of the law enforcement process. The activity of law enforcement coordination entities is no exception in this regard, which also requires clear and understandable legal regulation for all participants.

To date, the problems of legal regulation of law enforcement coordination entities have been studied in the scientific literature in a fragmentary manner. Therefore, I will try to study the legal regulation of law enforcement coordination entities with due regard for the legal force of statutory and subordinate legal acts.

Therefore, the first regulatory legal act in the area under study is the Constitution of Ukraine - the Basic Law of Ukraine. In accordance with the provisions of Article 17 of the Law, ensuring state security and protection of

the state border of Ukraine is entrusted to the relevant organization and procedure of which are determined by law.

The next legal act of the legislative level is the Law of Ukraine "On the Cabinet of Ministers of Ukraine", the provisions of which, in accordance with the Constitution of Ukraine, determine the organization, powers and procedure of the Cabinet of Ministers of Ukraine. The coordination powers of the Cabinet of Ministers of Ukraine are also reflected in the Law of Ukraine "On the National Police" in terms of police activities, which are directed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Internal Affairs of Ukraine in accordance with the law. The next key legal act that regulates the activities of law enforcement coordination entities is the Law of Ukraine "On the Prosecutor's Office", which defines the legal framework for the organization and activities of the Prosecutor's Office of Ukraine, the status of prosecutors, the procedure for exercising prosecutorial self-government, and the system of the Prosecutor's Office of Ukraine. In its turn, according to Article 10 of the Law of Ukraine "On the Security Service of Ukraine", the Central Directorate of the Security Service of Ukraine is responsible for the state security, coordinates and controls the activities of other bodies of the Security Service of Ukraine, including: counter intelligence units, military counterintelligence, counterintelligence protection of the state's interests in the field of information security, protection of national statehood, fight against corruption and organized criminal activity, information and analytical, operational and technical, operational documentation, etc.

Having considered the main, in the author's opinion, legislative acts of the legislative level, we should now turn to the provisions of the key by laws in the area under study.

Particular attention should be paid to the Decree of the President of Ukraine "On the Regulation on the Anti-Terrorist Center and its Coordination Groups at the Regional Bodies of the Security Service of Ukraine", which established the Anti-Terrorist Center, a permanent body of the Security Service of Ukraine that coordinates the activities of counterterrorism actors in preventing terrorist acts against statesmen, critical public facilities high-risk facilities, acts that threaten the lives and health of a significant number of people, and their suppression. The Center's collegial body is the Interagency Coordination Commission, which is formed by the Head of the Center and his deputies; Deputy Ministers of Internal Affairs of Ukraine and the Head of the State Emergency Service of Ukraine; Deputy Chief of the General Staff of the Armed Forces of Ukraine; deputy heads of the Administration of the State Border Guard Service of Ukraine, Service of Ukraine, the State Service for Special Communications and Information Protection of Ukraine, the State Penitentiary Service of Ukraine; Commander of the National Guard of Ukraine; Head of the Main Department of the Security Service of Ukraine in Kyiv and Kyiv region, Deputy Head of the Kyiv City State Administration,

deputy heads of other central organizations officials. The decisions of the interagency coordination commission are binding on all members of the commission and the headquarters, the Center, coordination groups at the regional bodies of the Security Service of Ukraine and their headquarters, which emphasizes the rather broad powers of this collegial body.

Of course, the above list, taking into account the legal force of regulatory and by-laws, does not claim to be exhaustive. It was not the purpose of these theses to establish their number in full and complete detail. However, the author is convinced that a successful attempt has been made to outline the list of key elements of the legal framework for the activities of law enforcement coordination entities.

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Анотація

Держава забезпечує життєдіяльність суспільства, як системи, шляхом використання влади, а право – через нормативне регулювання. У контексті формування засад правової держави в Україні особливої актуальності набуває роль і значення правового регулювання суспільних відносин. Не є винятком у цьому плані і діяльність координаційних органів правоохоронної діяльності, яка також потребує чіткого та зрозумілого правового регулювання для всіх учасників.

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TOPICAL ISSUES OF LAW ENFORCEMENT TRAINING IN PEACETIME AND UNDER MARTIAL LAW

Professional training of members of investigative and operational groups is carried out in peacetime. Usually, professional training in peacetime for employees who are members of investigative teams is carried out separately at the relevant structural units of the Ministry of Internal Affairs of Ukraine and the National Police of Ukraine. At the same time, there are no joint training sessions in the system of in-service training involving representatives of the National Police of Ukraine and sectoral departments of the MIA of Ukraine, in particular the State Border Guard Service of Ukraine, the Migration Service of Ukraine, the SES of Ukraine and structural units, representatives and specialists of other ministries and agencies. Everything is limited to one-time invitations of their representatives (or even individual representatives) to such types of training on interaction issues that should be solved during preparation in peacetime and in case of martial law. To eliminate such shortcomings, it would be advisable to draw up curricula and schedules for training with members of investigative and operational groups. One of the areas of service training that should be considered is the peculiarities of observing the secrecy regime, secrecy of pre-trial investigation regime as well as information security, which should be conducted with the participation of the Security Service of Ukraine, cyber police and officers of the secret police units. For example, in the current state of martial law, certain politicians, heads of certain agencies, media representatives, etc. publish on Internet sites what we believe to be classified information on the amount, types, ways of receiving and moving military and other assistance from our country's partners, as well as certain strategic and tactical military and law enforcement information. Another significant area of professional training should be the improvement of interaction with forensic specialists, employees of expert institutions of the Ministry of Internal Affairs of Ukraine, the Ministry of Justice of Ukraine, the State Emergency Service of Ukraine, the Security Service of Ukraine, representatives of explosive, sapper and pyrotechnic units, and specialists of other agencies.

In addition, it would be appropriate to hold joint classes in peacetime and martial law with the participation of the following specialists: 1) with forensic medical experts; 2) with psychiatrists and teachers to establish proper contact during inspections of the scene and other investigative (search) actions involving and victimized children and minors); 3) with experts from various expert institutions, in particular, on the preparation and conduct of forensic

molecular genetic examinations to establish DNA profiles and peculiarities of conducting examinations in the investigation of murders and war crimes against the military, our prisoners of war, representatives of regional and local military administration bodies, civilians and other categories of persons; 4) with criminal law experts on amendments to the legislation adopted in wartime (for example, on aiding the enemy - "collaborator" according to the new Article 111-2 introduced to the Criminal Code of Ukraine) and other amendments to the law on criminal liability of Ukraine and with the participation of international law experts on the peculiarities of international legal acts and the procedure for activities and cooperation with the International Criminal Court (in The Hague) on the issues under study, as well as the genesis, experience and results of the consideration of war crimes by the above-mentioned and Nuremberg and Tokyo tribunals.

In this regard, I suggest that scholars of criminal procedure and criminal law, international law, theory of state and law and others take an active part in the discussion of the draft law of the Cabinet of Ministers of Ukraine "On Amendments to the Criminal Procedure Code of Ukraine on Cooperation with the International Criminal Court" No. 7304 of 20.04.2022, which was submitted to the 7th session of the 1st convocation of the Verkhovna Rada of Ukraine, under the heading "Legal Policy", taking into account the existing theoretical and applied problematic issues in this area that occurred both in peacetime and those that arose during martial law. The very relevant draft law developed by MP O. Vakumov together with the Ministry of Internal Affairs of Ukraine on the registration of human genomic information should also be supported. This will support and finally resolve the controversial scientific positions of criminologists and facilitate the comparison of the DNA of a crime suspect with DNA traces left at the crime scene both in peacetime and during martial law.

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Анотація

При реалізації напрацьованих мною пропозицій, вони зможуть сприяти удосконаленню професійної підготовки працівників поліції та відповідних спеціалістів, які будуть готові виконувати свої обов'язки в

складі слідчо-оперативних груп і слідчих груп в мирний час та вирішувати поставлені завдання при можливому воєнному стані.

Втім, підняті питання не є остаточними і підлягають окремому дослідженню, або науковому вивченню. Пропоную учасникам науково-практичної конференції прийняти участь у обговоренні піднятих питань та наданих пропозицій.

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LEGAL REGULATION OF CIVILIAN FIREARMS CIRCULATION UNDER THE CONDITIONS OF THE LEGAL REGIME OF MARTIAL LAW

Determining the order of circulation of civilian firearms in a country is one of the most complete social issues from the point of view of assessing its impact on the state of public security. In Ukraine, the human right to defense against illegal encroachments is directly provided by the Constitution. Part 2 of Article 27 states that, "everyone has the right to protect his life and health, the life and health of other people from illegal encroachments." Part 6 of Article 55 contains more general information: "everyone has the right to protect his rights and freedoms from violations and illegal encroachments by any means not prohibited by law." This provision is included in the article "The rights and freedoms of a person and a citizen are protected by the court", but it is formulated so broadly that it covers all types of protection by a person of his rights and freedom including necessary defense. On the other hand, the Constitution of Ukraine does not mention the right to use civilian firearms. In Ukraine, the institution of necessary defense is regulated by Art. 36 of the Criminal Code in Part 1 of which it is noted that "necessary defense is recognized as actions taken with the aim of protecting the legally protected rights and interests of the person being defended or another person, as well as public interests and the interests of the state from socially dangerous encroachment by causing who encroaches, damage necessary and sufficient in the given situation to immediately repel or stop the encroachment, if at the same time the limits of necessary defense were not exceeded. The presence of such a norm in criminal legislation is due to the fact that it was historically considered as a basis for the release of person who harmed another person from criminal liability. At the same time, the Criminal Code also does not define what means a person can use for self-defense and protection of other persons from illegal acts.

Today, the circulation of civilian firearms in Ukraine is regulated by the subordinate legal acts of the Ministry of Internal Affairs of Ukraine, in

particular the Instruction on the procedure for the manufacture, acquisition, storage, accounting, transportation and use of firearms, pneumatic cold and cooled weapons, devices of domestic production for firing cartridges equipped with rubber or similar in their properties, non-lethal metal projectiles, and cartridges for them, as well as ammunition for weapons, main parts of weapons and explosive materials, approved by order of the Ministry of Internal Affairs of Ukraine No. 622 dated 21.08.1998 and registered in the Ministry of Justice of Ukraine under No. 637/ 3077 dated 07.10.1998; Instructions on the procedure for receiving, storing, accounting, destroying or selling seized, voluntarily surrendered found weapons and ammunition to it, approved by the order of the Ministry of Internal Affairs of Ukraine No. 314 dated 31.05.1993 and registered by the Ministry of Justice of Ukraine under No 106 dated 12.08.1993.

This issue concerns the basic rights of citizens to property, personal safety, protection of life and health from illegal encroachments, and therefore it should be regulated at the level of law.

Instead, Ukraine is the only country in Europe and one of the few in the world that does not have the corresponding law. In view of this, the adoption by the Verkhovna Rada of Ukraine on February 23, 2022 of the draft Law "On the Right to Civilian Firearms" in the first reading is fully justified. But when finalizing and determining the final content of this law, it is necessary to take into account the experience of legal regulation of the specified issue in various countries of the world; the current criminal situation in the country; the attitude of the population to this issue; problems and risks associated with the realization of the right of citizens to purchase, carry and use civilian firearms.

The weapons themselves are not the problem. The problem is the people who own it. Important factors here are experience, culture of behavior and components of this culture, which determine whether weapons are a factor of safety or danger in society. And despite the fact that in Ukraine for more than 20 years it is possible to legally own certain types of weapons, the culture of handling them is still low. There are many reasons for this, because all these years the government has taken the position of an ostrich in its attitude to this problem, burying its head in the sand.

There are still no statistics and transparent registers in Ukraine that would allow establishing the exact number of weapons in the population, because their number may decrease due to the fact that they are not re-registered.

Regulation of the "arms issue" is carried out by a number of by-laws, because there is still no specific law. Because of this, there is a lot of confusion: exactly which weapons are legalized in Ukraine and on what grounds are they owned - there is no clear and unequivocal answer. Also, the legalization of weapons is often perceived precisely as the "legalization of short-barreled weapons", which is far from the case.

Judicial practice in cases related to the use of weapons does not improve the situation either. The injustice of decisions against law-abiding gun owners who used them in necessary self-defense is often surprising.

The owners of weapons cause concern - they are very different in terms of motivation and models of purchased weapons, attitude towards them: some simply keep them in a safe, others regularly train with them, some go hunting, etc. Owners of illegal property are generally outlawed; this is the category of people who are not going to bear any responsibility for their own actions.

All of the above-mentioned phenomena of our social life do not contribute to the increase in the culture of handling weapons, but only increase the deformation of social values, when owning a weapon is perceived as a privilege, and not as an additional responsibility. To put it very simply, in a society with a high culture of handling weapons, it is not the fact of having a weapon that is "cool", but the ability to handle it.

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Анотація

Визначення порядку обігу цивільної вогнепальної зброї в державі є одним із найбільш повних соціальних питань з точки зору оцінки його впливу на стан громадської безпеки. Обіг цивільної вогнепальної зброї в Україні регулюється підзаконними актами МВС України, зокрема Інструкцією про порядок виготовлення, придбання, зберігання, обліку, транспортування і застосування вогнепальної зброї пневматичної та холодної, пристрої вітчизняного виробництва для стрільби

патронами, спорядженими гумою або подібними за своїми властивостями, нелетальні металеві снаряди та патрони до них.

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THE PROBLEM OF LIMITATION OF HUMAN RIGHTS AND FREEDOMS BY THE STATE IN A ZONE OF WAR CONFLICT

The war radically changed the legislator's approach to the regulation and organization of labor relations, which in turn is reinforced at the level of the Constitution of Ukraine, in particular Article 64 of which declared that the Constitutional rights and freedoms of a person and a citizen cannot be limited, except in cases provided for by the Constitution of Ukraine. However, in conditions of war or a state of emergency, separate restrictions of rights and freedoms may be established with an indication of the period of validity of these restrictions. The rights and freedoms stipulated by Articles 24, 25, 27, 28, 29, 40, 47, 51, 52, 55, 56, 57, 59, 60, 61, 62, 63 of this Constitution cannot be limited [1].

In today's conditions, issues of gender equality and non-discrimination have become particularly relevant all over the world. Ukraine is no exception, where there are still separate obstacles for women in various spheres of life. In this regard, a special legal framework was adopted. Thus, the principle of equality of rights and freedoms is enshrined in the Constitution of Ukraine. Art. 24 establishes that "citizens have equal constitutional rights and freedoms and are equal before the law."

There can be no privileges or restrictions based on race, color, political, religious or other beliefs, sex, ethnic and social origin, property status, place of residence, language or other characteristics. The equality of the rights of women and men is ensured by: giving women equal opportunities with men in social, political and cultural activities, in obtaining education and professional training, in work and remuneration for it; special measures regarding labor protection and women's health, establishment of pension benefits; creation of conditions that give women the opportunity to combine work with motherhood; legal protection, material and moral support for motherhood and childhood, including the provision of paid vacations and other benefits to pregnant women and mothers" [2].

Considering the peculiarities of the protection of human rights in the conditions of martial law, first of all, it is worth clarifying what should be understood by this state. In the legal literature and legislation of Ukraine, a sufficiently wide list of definitions of this phenomenon is provided. Let's stop at the following approach: "martial law is a special legal regime that is established in the state or in some of its localities. The introduction of the legal

regime gives special powers to executive authorities, military command, and local self-government bodies compared to the powers established by law for peacetime, and creates the necessary conditions for the exercise of these special powers, as well as the concentration of all necessary resources to ensure the defense of the state [3, with. 10].

Although constitutional rights and freedoms are endowed with the highest legal force, most of them are not absolute, because their exercise can be limited by law. Such a restriction is allowed in the interests of protecting the health and morals of the population, national security, the territorial integrity of the state, the rights and freedoms of citizens, as well as to protect public order, prevent crime, and find out the truth during the investigation of a criminal case, if information can be obtained by other means impossible, prevention of disclosure of information obtained confidentially, or to maintain the authority and impartiality of justice [4, p. 381].

It should be noted that the introduction of a special legal regime, in particular martial law, is a potential threat to basic rights and freedoms, which is why the current legislation of Ukraine contains a number of important guarantees of human rights protection. In particular, the limitations of the constitutional rights and freedoms of citizens, which may be applied under conditions of emergency and martial law, are exhaustive and not subject to extended interpretation, provided for by the aforementioned Law. The period of their application cannot exceed the period during which the state of emergency or martial law lasts. In the conditions of a state of emergency and martial law, the rights and freedoms of a person and a citizen, specified in Part 2 of Art. 64 of the Constitution of Ukraine [4].

Summing up, we should note that in the modern world, the application of restrictions on human rights and freedoms is one of the fundamental elements of the relationship between a person and the state. This is done in order to find a compromise between society and the state, which is manifested in the protection of the person, the rights and freedoms of other persons from arbitrariness. In Ukraine, this thesis is enshrined at the level of the Constitution in Article 23. Therefore, the limitation of the basic rights and freedoms of a person is a legitimate, purposeful quantitative and (or) qualitative reduction in the process of implementing those possible models of behavior that make up the basic right (freedom) of a person, on the part of other persons. It has an exclusively legal, temporary, targeted, non-discriminatory, socially useful character and consists in narrowing the scope and content of a person's fundamental potential capabilities. The state's ability to limit basic human rights and freedoms is provided for in virtually all international legal acts that regulate human rights and fundamental freedoms. Every contract defines the limits of possible restrictions and an exhaustive list of grounds for them, as well as establishes a number of rights that cannot be limited under any circumstances.

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Анотація

У роботі наголошується на проблемі обмеження прав і свобод людини, які можуть встановлюватися в умовах воєнного стану в Україні із зазначенням строку дії цих обмежень. З'ясовано поняття «воєнний стан» у юридичній літературі та законодавстві України. Схарактеризовано питання гендерної рівності в правовому полі в зоні воєнного конфлікту.

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OFFENSES PREVENTION BY LAW ENFORCEMENT AGENCIES IN PEACETIME AND UNDER MARTIAL LAW

Importance of Prevention: Preventing offenses by law enforcement agencies in both peacetime and under martial law is critical for maintaining societal order, protecting human rights, and preserving democratic values. Failure to prevent abuses can erode public trust, undermine the legitimacy of law enforcement institutions, and lead to widespread unrest.

Effective Strategies: Implementing effective prevention strategies requires a multifaceted approach that encompasses proactive measures, accountability mechanisms, and ongoing training. These strategies should be tailored to address specific challenges and risks associated with different contexts, such as peacetime operations versus times of crisis.

Transparency and Accountability: Transparency and accountability are foundational principles in preventing offenses by law enforcement agencies. By ensuring that actions are subject to public scrutiny and that those responsible for misconduct are held accountable, governments can deter abuse and promote adherence to legal and ethical standards.

Community Policing and Civilian Oversight: Community policing initiatives, which emphasize collaboration between law enforcement agencies and local communities, can help build trust, improve communication, and address underlying causes of crime. Additionally, civilian oversight mechanisms, such as independent review boards and ombudsman offices, provide external oversight and accountability.

Safeguards during Martial Law: In times of martial law or other states of emergency, it is particularly important to implement stringent safeguards to prevent abuses of power by law enforcement agencies. These safeguards may include judicial oversight, restrictions on the use of force, and mechanisms for reporting and addressing complaints.

Collaborative Approach: Collaboration between law enforcement agencies, government institutions, civil society organizations, and international partners is essential for effective prevention efforts. By pooling resources, sharing expertise, and coordinating activities, stakeholders can enhance the impact of prevention initiatives and address systemic challenges.

Continuous Evaluation and Adaptation: Prevention strategies must be continually evaluated and adapted to address evolving threats, changing societal norms, and lessons learned from past experiences. Regular assessments of effectiveness, coupled with feedback from stakeholders, enable governments to refine their approaches and allocate resources more efficiently.

Principles of Legality and Human Rights: Upholding the principles of legality, proportionality, and respect for human rights is paramount in preventing offenses by law enforcement agencies. Any actions taken must be lawful, necessary, and proportionate to the threat posed, and must respect the dignity and rights of all individuals, regardless of the prevailing circumstances.

By prioritizing prevention, governments can mitigate the risk of offenses by law enforcement agencies, promote public safety and security, and uphold the principles of justice and democracy.

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Анотація

Подані тези відображають важливість запобігання правопорушенням з боку правоохоронних органів, як у мирний час, так і в умовах воєнного стану, щоб зберегти суспільний порядок, захистити права людини та зберегти демократичні цінності. Зазначено, що ефективні стратегії запобігання передбачають комплексний підхід,

прозорість, відповідальність, співпрацю з громадою та постійне оновлення стратегій. Викладено, також, принципи законності та прав людини, як основу для запобігання правопорушень правоохоронними органами.

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INTERNATIONAL STANDARDS OF LAW ENFORCEMENT ACTIVITIES IN PEACETIME AND UNDER MARTIAL LAW

International standards of law enforcement define the norms and principles that govern the actions of law enforcement agencies to ensure security, law and order and the protection of human rights. These standards are set by international organisations and agreements, and their aim is to ensure uniformity of approach and a high level of human rights protection in law enforcement activities around the world.

The main international standards of law enforcement are:

- *the Universal Declaration of Human Rights*: this document defines the fundamental human rights and freedoms that must be protected by law enforcement agencies. It provides a framework for the development of national and international laws governing law enforcement;
- *the International Covenant on Civil and Political Rights*: this document establishes the rights and freedoms of the individual that must be protected by law enforcement agencies within the scope of their powers;
- *Convention for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*: this convention prohibits the use of torture and other forms of cruel, inhuman or degrading treatment that may be inflicted by law enforcement authorities;
- *Code of Conduct for Crime Prevention Officials*: This code establishes international norms and principles for the conduct of law enforcement officials and regulates their interaction with citizens and human rights organisations;
- *United Nations Guidelines on the Use of Force and Firearms by Law Enforcement Agencies*: these guidelines set out principles on the use of force by law enforcement agencies, including the use of firearms, to ensure compliance with international human rights standards.

These standards set out the rules and principles that should guide the actions of law enforcement agencies in all situations, including the apprehension of persons, the conduct of investigations, prosecutions, the provision of security during detention and the protection of the rights of persons during pre-trial investigations and trials.

The main principles that international law enforcement standards envisage include:

- *the principle of legality*: Law enforcement agencies should act within the framework of established laws and international standards, avoiding any form of vigilante justice or exercise of will beyond their authority;

- *the principle of proportionality*: The use of force and other measures must be proportionate to the threat and balanced with the aim of achieving legitimate aims. The use of force should be limited and should be the last resort;

- *the principle of non-discrimination*: Law enforcement agencies should not discriminate against individuals on any grounds such as race, gender, nationality, religion or political opinion;

- *the principle of transparency and accountability*: Law enforcement agencies should operate with transparency, ensure an effective system of accountability and oversight, and be held accountable for any misconduct or human rights violations;

- *the principle of human rights protection*: Law enforcement agencies should respect and protect the rights and freedoms of individuals, including the right to life, security of person, freedom of expression, freedom from torture and ill-treatment.

Moreover, international standards of martial law law enforcement are defined by various sources of international humanitarian law, in particular the Geneva Conventions of 1949 and their Additional Protocols, as well as other regulations and documents governing the conduct of armed forces in wartime. The main principles generally recognised in these standards include:

The principle of humanitarian necessity: Measures taken in the context of law enforcement should be limited to those that are necessary to achieve legitimate aims.

The principle of proportionality: Measures taken must be proportionate to the threat that has arisen and may not exceed the measure necessary to achieve a specific objective.

The principle of differentiation: Military action must be directed only against military objectives and not against civilians, civilians or non-combatants.

Prohibition of impermissible methods: The use of prohibited weapons, such as chemical and biological weapons, is prohibited under international humanitarian law.

Prohibition of starvation of the population: It is prohibited to take measures that lead to the forced starvation of the civilian population or the imposition of collective punishment.

Protection of prisoners of war and civilians: Prisoners of war and civilians not taking part in hostilities must be protected from ill-treatment, including beatings, summary punishment, cruel or degrading treatment or killing.

In conclusion, principles and standards are important for ensuring respect for human rights and the rule of law in the international context. They

serve as a basis for the development of national laws and policies, as well as for ensuring co-operation between countries in law enforcement matters.

In the event of war or political conflict between countries, principles and standards are established to ensure the protection of human rights, and they apply to all parties to the conflict, including law enforcement agencies and armed forces, in order to reduce civilian suffering and uphold humanitarian norms in wartime.

Анотація

У роботі розповідається про міжнародні стандарти та принципи правоохоронної діяльності як у мирний час, так і в умовах воєнного стану. Також вказується, що вони регулюють дії правоохоронних органів для забезпечення безпеки, правопорядку та захисту прав людини. Згадується конвенції, кодекси поведінки та додаткові протоколи. А також різниця у принципах і стандартах між мирним часом та в умовах воєнного стану.

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PROTECTION OF CONSTITUTIONAL RIGHTS OF INDIVIDUALS IN POLICE ACTIVITIES IN A CONFLICT ZONE

In the contemporary era, there are numerous international agreements aimed at safeguarding individuals in both peacetime and times of armed conflicts. Unfortunately, these global accords have not been effective in fully guaranteeing the safety and protection of individuals during periods of war. The challenge of safeguarding the rights and interests of citizens, coupled with various facets of the international legal protection of human rights, remains an enduring and highly pertinent focus for scholars within the country.

Specifically, due to the armed aggression initiated by the Russian Federation against Ukraine, this issue has become exceptionally urgent, given that conditions of occupation and regions of armed conflict have laid the groundwork for widespread violations of the rights and interests of civilians. It is crucial to emphasize that at the legislative level, there is a clear definition that human life and health, honor and dignity, inviolability, and safety are acknowledged as the utmost social values in Ukraine (as per Article 3 of the Constitution of Ukraine). The trajectory of the state's efforts is unequivocally guided by the realm of human rights and freedoms and the system of assurances for their protection. A fundamental obligation of the state is to affirm and secure the rights and freedoms of individuals. With this awareness, Ukrainian state authorities must undertake measures to safeguard the rights

and freedoms of citizens, prevent their infringements, and establish suitable conditions for the reinstatement of violated rights [1].

Ensuring the rights and freedoms of individuals is a key factor in the development of most countries, aimed at political democracy, economic progress, and cooperation. This becomes one of the main goals of the process of reforming Ukrainian society, gaining particular importance in the context of Ukraine's European integration. The main goal of the Ukrainian state is to become a full-fledged member of the global community, requiring a reallocation of priorities in the activities of law enforcement agencies to prioritize compliance with national constitutional norms and global standards for ensuring the rights and freedoms of individuals.

In today's conditions, effective protection of the rights and freedoms of individuals in the activities of the National Police of Ukraine requires new conceptual approaches, involving significant changes in the organizational and legal principles of the functioning of law enforcement agencies. These changes include humanizing police activities, enhancing the authority of the police, building partnership relations between the police and citizens, improving forms, methods, and means of ensuring the rights and freedoms of individuals, and more. The need for a significant increase in their efficiency in this direction requires in-depth and systematic scientific analysis of organizational and legal principles [2].

The imposition of martial law in Ukraine certainly complicates the government's task of guaranteeing the rights of citizens in conditions where partial restrictions are objectively necessary. Such limitations involve a legislative narrowing of the content and scope of human rights and freedoms, as well as factors that hinder or complicate their realization. The Constitution of Ukraine establishes standards for the rule of law in such situations. This means that, firstly, the restriction of human rights and citizen rights in the state is temporary and minimally necessary by nature; secondly, a specific list of rights that cannot be violated under any circumstances is preserved; thirdly, the final decision on declaring martial law is made by the highest nationwide representative body – the parliament [ibid.].

The normative legal regulation of vital activities and other social relations in the temporarily occupied Ukrainian territory must comply with international human rights standards and guarantees of their protection. At the national level, these legal relations are regulated by the Constitution of Ukraine, the Law of Ukraine "On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine," the Law of Ukraine "On Border Control," the Criminal Code of Ukraine (Articles 332-1, 438), the Criminal Procedure Code of Ukraine, the Code of Administrative Offenses (Articles 202, 204-2), the Cabinet of Ministers of Ukraine Resolution "On the Temporary Closure of Border Crossings and Checkpoints," and others. Special legal regulations apply to the temporarily occupied territory regarding crossing their borders, committing

legal acts, conducting elections and referendums, and exercising other rights and freedoms of individuals [3].

The legal regime of the temporarily occupied territory also involves a special procedure for ensuring the rights and freedoms of the people residing there. This regime can be determined, changed, or canceled exclusively by the laws of Ukraine. Undoubtedly, wartime conditions introduce corrections to the established order. However, this is not a reason to disregard human rights for a democratic state. Even in conditions of martial law, Ukrainian law enforcement agencies must take into account international human rights standards and, within the limits prescribed by law, create mechanisms for monitoring their compliance and guaranteeing them on the controlled and de-occupied territories of Ukraine. The National Police, with its broad powers, plays a crucial role, and its activities, including arrests and detentions when necessary, should be carried out in accordance with the principles of human rights. Currently, the police continue to work intensively under martial law, documenting crimes, evacuating the population, serving at checkpoints, checking documents, inspecting vehicles, searching for saboteurs, and countering looting [4].

The National Police plays a crucial role in ensuring public safety and maintaining order both in peacetime and during a state of war. This stems from its core purpose and is reflected in the tasks assigned to it according to Article 2 of the "On the National Police" Law. These tasks are meticulously defined and are also reflected in the definition of the police provided above. This aspect is also vividly elucidated in the provisions of Article 23 of this law, which outlines the list of powers entrusted to the police and has been expanded by the Law of Ukraine "On Amendments to the Laws of Ukraine 'On the National Police' and 'On the Disciplinary Statute of the National Police of Ukraine'" with the aim of optimizing the police's work, including during a state of war.

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Анотація

Збройна агресія росії проти України набула виняткової актуальності, враховуючи, що умови окупації та регіони збройного конфлікту створили передумови для масових порушень прав та інтересів цивільного населення. У сучасних умовах ефективний захист прав і свобод людини в діяльності Національної поліції України потребує нових концептуальних підходів, що передбачають суттєві зміни організаційно-правових засад функціонування правоохоронних органів. Ці зміни передбачають гуманізацію діяльності міліції, підвищення авторитету міліції, побудову партнерських відносин між міліцією та громадянами, удосконалення форм, методів і засобів забезпечення прав і свобод людини.

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INTERACTION OF INVESTIGATORS WITH OPERATIONAL UNITS UNDER THE LEGAL REGIME OF MARTIAL LAW IN UKRAINE

Starting from February 24, 2022, in connection with the military aggression of the Russian Federation against Ukraine, in accordance with the Decree of the President of Ukraine No. 64/2022, martial law was introduced from 05:30 a.m. on February 24, 2022 for a period of 30 days. As of today, referring to the Presidential Decree No. 734/2023 of 06.11.2023, the martial law in Ukraine was extended from 05:30 on November 10, 2023 for a period of 90 days [2, 5].

Detecting, solving and investigating crimes is a challenge facing the National Police of Ukraine. The effectiveness of the fight against crime depends on the cooperation of law enforcement agencies. This applies to operational and investigative activities and the work of investigative units. The issue of interaction between investigative and operational units was considered in the works of A. Aleksandrov, O. Mazurok, M. Gakan, I. Gerasimov, O. Kolesnichenko, O. Chuvilov, O. Kolesnichenko, A. Volobuiev, S. Stakhivskyi and others.

The Law of Ukraine "On Operational and Investigative Activities" reveals the principles of interaction between operational units and investigators. Thus, the law stipulates that units engaged in operational and investigative activities are obliged to interact with each other and other law enforcement agencies in order to conduct prompt, complete and impartial

investigation, prevention, detection and suppression of criminal offenses [4]. The interaction of the investigator with operational units is based on laws and departmental regulations, and their joint activities are aimed at solving criminal offenses.

Thus, O. Obal believes that the main functional purpose of covert investigative detective actions in criminal proceedings is to ensure the optimal ways of using information obtained through covert means and methods in criminal proceedings.

They are characterized by the fact that information about the facts and methods of their conduct is not subject to disclosure, except in cases provided for by the CPC of Ukraine (part 1 Art. 246). This creates favorable conditions for law enforcement agencies to expose organized criminal activity [1, p. 173].

Taking into consideration the examples of the National Police of Ukraine, we have come to the following conclusions regarding the principles on which the interaction of pre-trial investigation and operational units should be based:

- prohibition of interference with the investigator's procedural activities by persons who do not have legal grounds for doing it;
- the principle of prompt, impartial and complete investigation of criminal offenses;
- the principle of compliance with the general principles of criminal proceedings;
- the principle of non-disclosure of pre-trial investigation information;
- the principle of optimizing the use of the capabilities of pre-trial investigation bodies and operational units of the National Police of Ukraine in detecting, preventing and investigating criminal offenses [3].

As for the forms of interaction, they are divided into organizational and procedural ones. Organizational ones are provided for by departmental regulations, while procedural ones are provided by the criminal procedural law.

The organizational forms include

- planning of joint measures aimed at combating criminal activities;
- consultations;
- coordination of activities;
- exchange of information related to crimes, as well as other issues of investigative and operational activities;
- joint analysis of the causes and conditions contributing to the commission of a crime;
- joint activities as part of an investigative and operational group;
- joint use of special means at the disposal of operational units, etc.

Procedural forms of cooperation include:

- the investigator's powers under Article 40 of the CPC of Ukraine, according to which the investigator is authorized to entrust investigative

(detective) actions and covert investigative (detective) actions to the relevant operational units;

- according to Art. 41 of the CPC of Ukraine, the operational units of the National Police, security agencies, NABU, SBI, bodies exercising control over compliance with tax and customs legislation, and the State Border Guard Service of Ukraine are obliged to carry out investigative and detective actions and covert investigative and detective actions in criminal proceedings upon a written order of the investigator, prosecutor, while the detective unit, operational and technical and internal control units of the NABU - upon a written order of a detective or prosecutor of the Specialized Anti-Corruption Prosecutor's Office;

- assisting the investigator in conducting certain investigative actions.

The assistance of operational units is necessary for the investigator to conduct the following: investigative actions that require a large amount of work or additional guarantees for the persons involved. These include searches, seizures, reconstruction of the situation and circumstances of the event, inspections of the scene, and investigative experiments. The participation of an officer of the operational unit is reflected in the protocol of the investigative action [3].

It should also be noted that interaction has theoretical and legal grounds.

Such theoretical grounds are the provisions that explain its meaning and significance; their awareness by investigators and officers of operational units makes interaction more meaningful and purposeful, thereby contributing to its legality and effectiveness.

Legal grounds for interaction are provisions of laws and bylaws, including acts of restricted use of varying confidentiality degrees.

Heads of departments within their agencies coordinate the activities of operational units and pre-trial investigators to solve and investigate crimes, and the prosecutor coordinates the activities of all investigative bodies.

Interaction of the investigator with operational units should be carried out gradually, in accordance with a certain plan. At the initial stage it is coordinated work at the scene; continuation of the first stage is the preservation of legality in the execution of the investigator's orders and interrogation of suspects and witnesses by operational officers. The result of cooperation is achievement of effectiveness in detection, investigation of criminal offenses and proving the guilt of the offender. This will contribute to the timely elimination of encroachments on human freedoms and rights, creating a safe society, and improving the authority of the police by increasing public trust in law enforcement bodies.

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Анотація

Автор розглядає проблему виявлення, розкриття та розслідування злочинів, яка стоїть перед Національною поліцією України. Відзначається, що ефективність боротьби зі злочинністю залежить від співпраці правоохоронних органів, зокрема слідчих та оперативних підрозділів. У роботі вказується на важливість взаємодії між ними в контексті оперативно-розшукової діяльності та роботи слідчих підрозділів. Детально розглядаються організаційні та процесуальні форми взаємодії, а також спільна діяльність у складі слідчо-оперативних груп.

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COORDINATED INTERACTION WITH THE POPULATION OF NPU BODIES FOR EFFECTIVE RESOLUTION OF SITUATIONS UNDER MARTIAL LAW

Martial law conditions require coordinated interaction between national police authorities and the population to effectively manage situations,

promoting mutual understanding, information sharing and joint protection measures in the interests of public order and security. According to Art. 11 of the Law of Ukraine on the National Police, law enforcement agencies can cooperate with the community to achieve general security goals [1].

In the event of martial law, law enforcement agencies face a number of problems, such as: 1. Escalation of threats and conflicts; 2. Limitation of rights and freedoms; 3. Effectiveness of communications; 4. Mobilization of resources; 5. Increased risk to law and order. Taking these factors into account allows planning and implementing effective strategies to strengthen the socially oriented work of the police with the public to ensure security and manage crisis situations. In the conditions of war, this interaction is carried out in various aspects of cooperation. For example, the formation of territorial defense (hereinafter - TrO), the conduct of national resistance, information exchange, the involvement of local self-government bodies, the protection of the state border, and, referring to the above list, of course, it should be added that everything is legally established and has the right to freedom of association to public organizations for the exercise and protection of rights and freedoms.

In accordance with the provisions of the Law of Ukraine "On the Foundations of National resistance" territorial defense (hereinafter - TrO) is a system of national, military and special measures, carried out in peacetime and in a special period for the purpose of countering military threats, as well as to provide assistance in the protection of the population, territories, natural environment and property from emergency situations [2]. It consists of civilian, military and military-civilian components. Also, it is important to note that all the measures of the Security Council refer not only to countermeasures during martial law, but also function in peacetime with the aim of ensuring territorial integrity and security of citizens. For the first time, on the way to the creation and operation of this unit of the Armed Forces of Ukraine in its current form, they were formed at the beginning of the Russian invasion of our country. Over time, the active creation of brigades and rifle battalions began in various regions and regions of Ukraine. The final legislative consolidation of TrO at the state level took place on January 1, 2022 on the basis of the Law of Ukraine "On the Foundations of National Resistance". The final formation of such units was completed only on February 15, 2022, that is, only 9 days before the start of a full-scale offensive of the Russian armed forces on the territory of Ukraine, although before that the war had been going on on our land for about 8 years, but the higher political leadership was aware of the possibility of a full-scale aggression against the entire territory of the state. As stated in the Law of Ukraine "On the Foundations of National Resistance", territorial defense is based on the following principles: territoriality; masses; minimum time for deployment and bringing territorial defense units to readiness for action; unity; centralization of management and decentralization; controlled autonomy of the use of forces

and means of territorial defense activity; determination and continuity of territorial defense; persistence in achieving the goal of territorial defense; coordinated, joint use of forces and means involved in the conduct of territorial defense; continuity of interaction of forces and means of territorial defense; comprehensive consideration and full use of moral and psychological factors [3].

Outlining the tasks to be performed by the TrO, it should be noted that they are significant and have a large scope and include the following: participation in ensuring conditions for the safe functioning of state authorities, other state bodies, local self-government bodies and military administration bodies; timely response and taking necessary defense measures; territory and protection of the population in a certain area; participation in ensuring measures of public safety and order in the population points; participation in the protection of the population, territories, surrounding nature environment and property from emergency situations; liquidation of the consequences of conducting military (combat) operations; participation in the preparation of Ukrainian citizens for national resistance; participation in the protection and defense of important objects and communications, other critical infrastructure objects, determined by the Cabinet of Ministers of Ukraine, and objects of regional, district, village, settlement, city importance, district councils in cities, villages, settlements, whose functioning is impaired and put out of order constitute a threat to life activities of the population; provision of conditions for strategic (operational) deployment of troops (forces) or their reorganization; participation in the implementation of measures regarding the temporary prohibition or restriction of the movement of vehicles and pedestrians near and within the zones/areas of emergency situations and/or the conduct of military (combat) operations; participation in the introduction and implementation of measures of the legal regime of martial law in the event of its introduction on the entire territory of Ukraine or in some of its localities; participation in the fight against sabotage and intelligence forces, others armed formations of the aggressor (adversary) and not provided for by the laws of Ukraine by paramilitary or armed formations; participation in the provision of legal services to the population in accordance with the procedure provided for by the Law of Ukraine "On Free Legal Aid" [4].

An equally important aspect of public cooperation with law enforcement agencies is the conduct of national resistance. Taking into account the peculiarities of the state of war, the new military legislation was adopted The Law of Ukraine "On the Basics of National Resistance", which defines the basics of preparing and conducting events, as well as the organizational and legal principles of its functioning. In the said Law, a number of definitions were established, such as include the legal definition of preparation of citizens of Ukraine for national resistance, which is understood as a set of measures which are carried out by state bodies and local self-

government bodies with the aim of forming patriotic consciousness and sustainable motivation, acquiring knowledge and practical skills necessary for the protection of Ukraine. The main components of such training include patriotic awareness, sustainable motivation, and, of course, a complex of professionally important knowledge and skills. Some of them are specified in the Law of Ukraine "On Military Duty and Military Service". Example: patriotic education; military-technical training of conscripts; specialties; preparation for admission to higher military educational institutions and military educational units of higher education institutions; military training in institutions of higher education under the reserve officer training program; physical training; medical and recreational work; study of the state language [5].

Determining the legal basis for the activities of various bodies and organizations under martial law, the Law of Ukraine "On the Legal Regime of Martial Law" authorizes the military command to involve local self-government bodies in the implementation of measures of the legal regime of martial law. In addition, the Cabinet of Ministers of Ukraine approved the Plan for the implementation and provision of measures for the implementation of the legal regime of martial law in Ukraine, in accordance with Presidential Decree No. 64 of February 24, 2022, in which local self-government bodies are included in the circle of executors. In the system of measures provided for by these documents, there are those that directly affect the state of public safety and order. Mostly, it concerns: - organization of enhanced protection and defense of important objects of the national economy and objects that ensure the vital activities of the population; - involvement of able-bodied persons in socially useful works, which are performed to meet the needs of law enforcement agencies; - introduction of a curfew, establishment of a special light masking regime; - establishment of a special regime of entry and exit, restriction of freedom of movement of citizens, as well as the movement of vehicles; - bans on trade in weapons, powerful chemicals, and alcoholic beverages evacuation of the population if there is a threat to their life or health, as well as material and cultural values, if there is a threat to their integrity and existence [6].

Expanding the participation of the population and their associations in ensuring public safety and order is of great importance both in the direction of crime prevention and counteraction, and contributes to the transparency of police activities, as well as ensuring the growth of citizens' trust in law enforcement agencies. The participation of the public in maintaining order became especially relevant after the introduction of martial law in Ukraine due to the military aggression of russia. The main task and goal of cooperation between law enforcement agencies and the population is: reducing the level of crime at the local, regional and state levels, informing the National Police about committed or pending criminal offenses, places of concentration of criminal groups, carrying out mass propaganda work to popularize law-

abidingness, observance of human rights and freedoms. Therefore, cooperation between the police and the community at all the indicated levels is considered as the main means of solving issues related to ensuring public safety, peace and law and order, protection of fundamental human rights and freedoms, prevention and countermeasures against criminal and administrative offenses.

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Анотація

У роботі висвітлені способи і методи взаємодії правоохоронних органів із громадськістю в умовах воєнного стану. Описані форми їх співпраці та цілі, які досягаються внаслідок цього. Вказані нормативно-правові джерела, за допомогою яких координується і здійснюється взаємодія органів Національної поліції з суспільством. Зазначено завдання співробітництва між населенням та поліцейськими органами.

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TASKS OF LAW ENFORCEMENT AGENCIES THAT PROTECT HUMAN RIGHTS IN PEACETIME AND DURING MARTIAL LAW

Law enforcement agencies have a critical role in protecting law and order as well as upholding constitutional freedoms, both in times of peace and during war. They are responsible for maintaining public safety, ensuring the enforcement of laws, and safeguarding the rights of individuals even in the face of conflict.

During times of peace, law enforcement agencies work towards preventing crime, responding to incidents, and maintaining public order. They investigate and apprehend offenders, provide assistance to citizens, and contribute to creating a safe environment for all. By upholding the law, these agencies protect the fundamental constitutional freedoms of individuals, including their right to life, liberty, and property.

In times of war or armed conflict, law enforcement agencies face unique challenges in maintaining law and order. They may be required to collaborate with military forces or other security entities to ensure the safety and security of the population. While the circumstances may call for heightened security measures, it is crucial that constitutional freedoms are not disregarded or violated. Law enforcement agencies must strike a balance between preserving public safety and protecting individual rights, even in the midst of war. In situations of armed conflict, the protection of civilians is a United Nations priority. Any protection activity, be it physical, political or through the establishment of a protective environment, must be based on the rule of law and aims to give the applicable laws practical relevance in difficult circumstances. The applicable normative framework and the obligations of Member States are critical to all protection work. To protect civilians better, Member States must adhere to the relevant international treaties, include their provisions in national legislation and establish well-functioning institutions and internal controls. Similarly important are education and information concerning compulsory norms and prohibited practices and criminal enforcement in cases of serious breaches [1].

To protect constitutional freedoms during the war, law enforcement agencies should adhere to international humanitarian law and human rights standards. They should receive proper training on the rules of engagement and the protection of civilians. Additionally, oversight mechanisms should be in place to monitor and address any possible abuses of power. Respect for human rights by law enforcement agencies actually enhances their effectiveness. Where human rights are systematically respected, police officers have developed professionalism in their approaches to solving and preventing crime and maintaining public order. In this sense, respect for human rights by police is, in addition to being a moral, legal and ethical imperative, a practical requirement for law enforcement. When police are seen to respect, uphold and defend human rights [2, p. 22].

So, law enforcement agencies have a duty to respect and uphold constitutional freedoms, whether in peace or war. They should work in collaboration with other government institutions, such as the judiciary, to ensure that justice prevails and individual rights are upheld. By doing so, they contribute to the maintenance of a just and democratic society even in the most challenging circumstances.

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Анотація

Ефективна поліцейська служба – це та, яка служить першою лінією захисту прав людини. Ефективне знання поліцейськими прав людини є суттєвим елементом глобальних зусиль із просування та захисту прав людини в кожній країні. Щоб захистити права людини, поліція має знати і розуміти їх. Важливо підкреслити, що існують міжнародно визнані обмеження щодо здійснення багатьох прав людини з метою забезпечення вимог підтримання громадського порядку в суспільстві. Ці обмеження, якщо вони існують, визначені в текстах різних договорів про права людини. В загалом, такими обмеженнями є ті які визначені законом і є необхідними: забезпечувати дотримання прав і свобод та відповідати справедливим вимогам моралі, громадського порядку та загального добробуту в суспільстві.

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PROTECTION OF CONSTITUTIONAL HUMAN RIGHTS UNDER MARTIAL LAW

For our country as a sovereign, democratic and independent state, the priority political direction under martial law is the protection of constitutional human rights. After all, reproducing such a concept, the protection of the right to life is determined by the starting point for the realization of all other rights and freedoms. Such a statement is contained in human rights treaties and is part of general international law. And only under certain legal and factual circumstances can it be legally limited. At the same time, military conflict and violence within the country are becoming the main threats and obstacles to the implementation of this concept.

Thus, in accordance with the implementation of Article 3 of the Universal Declaration of Human Rights: "everyone has the right to life, liberty and security of person." The broader concept of the right to life is defined in the International Covenant on Civil and Political Rights of 1966. Article 6 states that the right to life is an inalienable right of everyone. This right is protected by law.

We should note that the right to life in a military conflict is practically unprotected. The decisions of international and national courts are not always clear. As a result, the mechanism for protecting the right to life needs to be improved.

The first attempts at settlement took place on October 30, 2018, where the UN Human Rights Committee adopted General Comment No. 36. The committee tried to touch on the main issues related to the protection of the human right to life, but despite the adoption of such an important project, many questions remained unanswered [1], in particular regarding the protection of constitutional human rights in the zone of military conflict.

It should be noted that in February 2022, the world was shaken by the events that took place in Ukraine - the war, destroyed Bucha, Borodyanka, Mariupol, Bakhmut, Avdiyivka and at the same time destroyed the lives of Ukrainians. International organizations established to ensure, affirm and protect human rights were powerless against such acts of aggression. Therefore, the protection of the right to life in war worries us in the present! Obviously, the large number of deaths in Ukraine is not just cruel, but a terrible manifestation. As of the morning of May 1, 2022, the number of children whose lives were cut short exceeded 200. Invaders continue to commit incredible atrocities against Ukrainians [1].

In conditions of conflict, the problems of respect, observance, implementation and protection of human rights acquire different dimensions than in peacetime, the awareness of which allows us to clearly determine the orientation of law enforcement agencies in using the relevant legal tools.

Examining the aspects of the activities of the police to ensure the rights of citizens during martial law should identify those that require attention in the first place: the right to life, protection from torture and ill-treatment. The right to freedom and personal inviolability mainly concerns the release of hostages and the restoration of their rights, ensuring the rights of children. In particular, fixing cases of illegal export of Ukrainian children by invaders to the territory of the aggressor country for the purpose of their adoption); children's rights; women's rights need special attention [2, p. 261].

Providing the designated list of human rights by the police is due to the fact that they are mainly violated during martial law as a result of active hostilities, occupation of certain regions and settlements.

The main areas of the police activity to ensure the citizens' rights during martial law, the emergence of which is due precisely to the action of such a legal regime introduced as a result of a full-scale invasion territory of our state territory, are:

- 1) recording and qualification of war crimes in Ukraine;
- 2) investigation of war crimes in conditions of active hostilities;
- 3) demining of territories and buildings;
- 4) protection of public order and ensuring public safety;
- 5) detection of cases of unlawful acts against children;

6) use of modern information technologies, systems and means of information protection;

7) psychological support for the activities of police bodies under martial law and the provision of primary psychological assistance by police officers to various categories of citizens.

Thus, we can conclude that the National Police of Ukraine contributes to ensuring fundamental human rights during a military conflict. Human rights under martial law are particularly vulnerable and their protection can be difficult. Particular attention in the protection of human rights is concentrated in the hands of the state in the person of public authorities legitimate by the Constitution and laws [3, p. 16]. Law enforcement agencies of Ukraine act in various directions to protect human rights, focusing on identifying illegal actions committed under martial law, using modern technologies for information protection, mine clearance and security stabilization in de-occupied territories.

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Анотація

Для нашої країни як суверенної, демократичної та незалежної держави пріоритетним політичним напрямом в умовах воєнного стану є захист конституційних прав людини. Досліджуючи аспекти діяльності поліції щодо забезпечення прав громадян під час дії воєнного стану, слід визначити ті, які потребують уваги в першу чергу: право на життя, захист від тортур та жорстокого поводження. Правоохоронні органи України діють у різних напрямках захисту прав людини, зосереджуючись на виявленні протиправних дій, вчинених в умовах воєнного стану, використовуючи сучасні технології захисту інформації, розмінування та стабілізації безпеки на деокупованих територіях.

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LEGAL PROTECTION OF STUDENTS OF COMPLETE SECONDARY EDUCATION UNDER THE LEGAL REGIME OF MARTIAL LAW

During the war aggressively unleashed by the Russian Federation, the quality of the educational process in Ukraine has undergone significant changes. The right to education for every person is directly enshrined in the provisions of the second section of the Constitution of Ukraine, making it a priority sphere of state policy. In accordance with the provisions of Article 13 of the International Covenant on Economic, Social and Cultural Rights, the Constitution recognises the right to education for everyone, regardless of their gender, race, nationality, social and property status, occupation, ideological beliefs, party affiliation, attitude to religion, health status and other circumstances [1, p.134]. By ratifying international legislation, Ukraine has undertaken to ensure the quality of the educational process for everyone, but the provision of these intangible benefits is impossible.

In particular, paragraph 3 of the Decree of the President of Ukraine "On the Introduction of Martial Law in Ukraine" states that constitutional rights and freedoms of a person and citizen regulated by Article 53 of the Constitution of Ukraine may be temporarily restricted for the period of martial law [2]. For the subjects of the educational process, this implies the introduction of a distance learning form of education that is safe for them. This state guarantee is provided by executive authorities and local self-government bodies in the field of education.

It is worth mentioning that the Order of the Ministry of Education and Science "On Some Issues of Organising General Secondary Education and the Educational Process under Martial Law in Ukraine" of 28.03.2022 regulated the organisation of the educational process for persons who were forced to change their place of residence or educational institution due to military operations:

1. the enrolment of applicants for general secondary education, who were forced to change their place of study and/or residence (stay), upon application to educational institutions, regardless of their place of residence;
2. obtaining general secondary education in any form that can be provided by an educational institution;
3. the accommodation of subjects of the educational process in boarding houses, dormitories, as well as providing meals in case of submission of a relevant application [3].

Thus, the legal regulation of public relations in the field of education under the martial law regime takes into account the interests of the subjects of the educational process. The Ukrainian legislator faces many unresolved tasks, but the adopted legal acts and their methods have a positive impact on the effectiveness of the right to education.

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Анотація

У тезах розглядаються питання захисту права на освіту як основного конституційного права здобувачів вищої освіти, та питання змін якості освітнього процесу в період воєнного стану. Метою тез є показати зобов'язання, які Україна взяла на себе по забезпеченню якості освітнього процесу для кожного, хто постраждав від воєнного конфлікту. Проаналізовані правові акти, які регулюють реалізацію прав людини на освіту на території України та регламентують організацію навчального процесу для осіб, які були змушені змінити або місце перебування, або навчальний заклад через військові дії. Наведені ключові завдання вирішення проблемних питань в сфері освіти для внутрішньо переміщених осіб. Підкреслена важливість правового регулювання в умовах режиму воєнного стану суспільних відносин у сфері освіти та врахування інтересів суб'єктів навчального процесу. Зазначена роль держави у виконанні зобов'язань щодо забезпечення повного дотримання прав здобувачів та позитивного впливу на ефективність реалізації права на освіту.

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THE RIGHT OF POLICE OFFICERS TO SOCIAL PROTECTION IN THE CONDITIONS OF RUSSIAN ARMED AGGRESSION AGAINST UKRAINE

Under the conditions of the legal regime of martial law in Ukraine, the units of the National Police are authorized to perform a number of functions, including those related to ensuring public safety and order, evacuating the population from territories that are massively attacked by artillery, and identifying collaborators. During the performance of official duties, police officers are constantly under the influence of stressful and negative events that can cause damage to mental or physical health. Therefore, the state's provision of guarantees of legal protection of the rights of police officers should be one of the key areas of social security.

In particular, Chapter IX of the Law of Ukraine “On the National Police of Ukraine” defines such types of social protection of a police officer as leave, financial support, medical support, housing support, one-time cash aid in the event of decease (death) or disability of a police officer, pension support, education for children, etc. [1]. Also, during the period of martial law, additional guarantees are legally defined: rewards for policemen during the period of martial law and referral from call to military service for policemen who are of conscription age for the period of service in the National Police, etc.

Analyzing the materials of the mass media about money raising for the treatment of injured police officers, we can come to the conclusion that the mechanism for implementing a new social guarantee in the form of free medical care for police officers does not work at all or is being implemented in violation of established legal requirements in health care institutions of Ukraine under any form of ownership.

In addition, the issue of mandatory state insurance for police officers remains open. The settlement of this issue at the state level will contribute to the establishment of an automatic mechanism for the payment of compensation to police officers in the event that they or their family members suffer health damage (physical or psychological) as a result of the performance of official duties, an armed conflict, an accident, a natural disaster [2, p. 353].

Also, the implementation of the system of psychological support of police units is endowed with specificity. The research indicates insufficient level of psychological readiness of police officers for high-quality professional activity, the presence of conflicts in units, dissatisfaction of police officers with employment activities and management style, appearance of professional deformation [3, p. 258]. Therefore, the creation of psychological programs for certain categories of police officers will be effective in this direction.

Therefore, the institution of social protection of police officers in the conditions of Russian armed aggression needs detailed regulation and significant improvement, since police officers as citizens of Ukraine, who work in specific conditions, also face violations of their rights in everyday and official life.

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Анотація

У тезах розглядається право поліцейських на соціальний захист в умовах російської збройної агресії проти України. Під час виконання службових обов'язків працівники поліції постійно перебувають під впливом стресових та негативних подій, які можуть завдати психічному або фізичному здоров'ю шкоди. Тому надання державою гарантій правового захисту прав поліцейських повинно бути одним із ключових напрямків соціального забезпечення, які регламентовані розділом IX Закону України «Про Національну поліцію України», а під час дії воєнного стану законодавчо визначені і додаткові гарантії. Але інститут соціального захисту поліцейських в умовах російської збройної агресії всеодно потребує детальної регламентації та значного удосконалення, оскільки поліцейські як громадяни України, які працюють у специфічних умовах, також стикаються з порушеннями їх прав у повсякденному та службовому житті.

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DETERMINING THE OBLIGATIONS OF THE PERSON WHO DRIVES A PERSONAL LIGHT ELECTRIC VEHICLE

To date, persons who drive personal light electric vehicles, including electric scooters, can be considered road traffic participants by right, but their administrative-legal status, as well as the rules for using such new means of transportation, unfortunately, have not received proper administrative-legal recognition in national legislation regulation, which creates a large number of problems in the field of ensuring road traffic safety. Traditionally, in administrative and legal science, one of the key elements of the administrative and legal status of any subject includes subjective duties, as a measure of the proper behavior of a person established by legal norms [1, p. 129; 2, p. 89].

However, considering the administrative and legal status of persons who drive personal light electric transport, taking into account its regulatory uncertainty, the list of duties of the specified category of road users is debatable.

It should be noted that since the legislator currently classifies persons driving a personal light electric vehicle as pedestrians, such persons are obliged to comply with the requirements imposed by the Law of Ukraine "On Road Traffic" and the Road Traffic Rules for pedestrians. Thus, Article 17 of the Law of Ukraine "On Road Traffic" establishes the following obligations of pedestrians:

- move along sidewalks, pedestrian or bicycle paths, roadsides, and in their absence - along the edge of the carriageway of a road or street;
- cross the carriageway of the road, street at pedestrian crossings, and in the absence of them - at intersections along the sidewalks and roadsides;
- follow the signals of the controller and traffic lights in places where traffic is regulated;
- do not delay or stop unnecessarily on the carriageway of the road, street and railway crossing;
- do not cross the carriageway of highways, streets, railway crossings directly in front of approaching vehicles, outside pedestrian crossings if there is a separate lane, as well as in places where pedestrian or road fences are installed;
- refrain from crossing the carriageway when approaching a vehicle with flashing lights and a special sound signal;
- do not enter the carriageway due to a stationary vehicle or other obstacle that limits visibility, without making sure that there are no approaching vehicles [3].

However, in practice, their implementation is impossible, and sometimes dangerous (for example, when driving on sidewalks, footpaths) for other road users. Taking this into account, we again come to the conclusion about the expediency of providing a specific range of duties for persons who drive personal light electric transport.

It goes without saying that a person who drives a personal light electric vehicle, as a road user, is obliged to fulfill the general duties provided for in Art. 14 of the Law of Ukraine "On Road Traffic":

- know and strictly comply with the requirements of the Law of Ukraine "On Road Traffic", Road Traffic Rules and other regulatory acts on road safety issues;

- create safe conditions for road traffic, not to cause harm to enterprises, institutions, organizations and citizens by their actions or inaction;

- carry out orders of state supervision and control bodies regarding compliance with road traffic legislation;

- do not create obstacles for the passage of specialized sanitary transport of emergency (ambulance) medical aid teams, which moves with its flashing beacon and special sound signal turned on;

- in the cases defined by the Law of Ukraine "On Emergency Medical Aid", to provide the necessary pre-medical aid and take all possible measures to ensure the provision of emergency medical aid, including to victims of traffic accidents [3].

Regarding the list of specific duties for persons who drive personal electric transport, summarizing the work of the subjects of the legislative initiative, outlined in the two draft laws that we analyzed [4; 5],

- supplementing them with our own considerations, we consider it appropriate to include the following specific duties:

- use technically sound and properly equipped personal light electric transport;

- move along bicycle paths, and in the absence of them - along the edge of the carriageway of the road along the right extreme lane, street or roadside along with the general flow of vehicles;

- drive a personal light electric vehicle equipped with a sound signal and traffic lights.

The requirement for mandatory equipment of personal light electric transport with a sound signal does not apply to cases where the possibility of such equipment is not provided for by the constructive decision of the manufacturer;

- when driving in the dark and in conditions of insufficient visibility, regardless of the degree of illumination of the road, have a lantern (headlight) turned on and highlight yourself with the help of reflective elements that are attached to outer clothing or in another way;

- do not transport passengers, except in cases where their transportation is expressly provided for by the constructive decision of the manufacturer of personal light electric transport;

- do not use hand-held communication devices and headphones while driving;

- prevent cases of driving a personal light electric vehicle in a state of alcoholic, narcotic or other intoxication or under the influence of drugs that reduce their attention and speed of reaction.

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Анотація

Особи, які керують легковими електротранспортними засобами, в тому числі електросамокатами, по праву можуть вважатися учасниками дорожнього руху, але їх адміністративно-правовий статус, а також правила користування такими новими видами транспорту, на жаль, не отримали належного адміністративно-правового оформлення й визнання в національному законодавстві регулювання, що створює велику кількість проблем у сфері забезпечення безпеки дорожнього руху.

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MAJOR CHALLENGES OF GENDER EQUALITY IN LAW ENFORCEMENT AGENCIES IN UKRAINE DURING TIMES OF WAR

The current socio-political situation in Ukraine, particularly the armed conflict with Russia, poses new challenges across various sectors of society. One of the pressing issues is gender equality in law enforcement agencies, where it is crucial to examine the intricacies of its implementation in times of conflict. This article is dedicated to analyzing the major challenges of gender equality during wartime conditions and exploring potential strategies to overcome these issues.

The initial section focuses on analyzing the impact of the wartime situation on the socio-cultural environment and gender roles. According to Olena Zakharova, the Director of Analytical Work and External Relations at the International Center for Advanced Research, "Armed conflict significantly reinforces gender stereotypes, which can have adverse effects on gender equality" [1].

Additionally, statistical data indicates a 15% decrease in the number of women applying for service in law enforcement agencies during wartime. This suggests that women experience a certain level of discomfort due to societal attitudes towards their participation in ensuring security.

The second section delves into stereotypes regarding the involvement of women in the security sector. Analysis of open-source statistics reveals systematic obstacles faced by women attempting to secure positions in law enforcement agencies. Despite the Ukrainian Constitution emphasizing equal rights irrespective of gender, the management of female personnel in law enforcement structures remains at a mere 20% [2].

The third section concentrates on the gender dimension of professional growth and education in military and legal institutions. Current efforts in Ukraine aim to enhance educational programs and strategies to ensure equal opportunities for career advancement.

Statistics from the Ministry of Internal Affairs of Ukraine indicate that women in law enforcement have lower access to professional courses and career development compared to their male counterparts. The Ukrainian law "On Ensuring Equal Rights and Opportunities for Women and Men"[3] mandates equal access to education and professional development, yet practical results highlight the need for improvement in mechanisms protecting women's rights.

The fourth section addresses the escalating cases of violence against women in conditions of armed conflict and assesses the effectiveness of measures aimed at preventing and responding to gender-based violence. According to the Human Rights Monitoring Department of the Ministry of Internal Affairs of Ukraine, during the first nine months of 2023, reports of

domestic violence incidents increased, with confirmed cases of violence against women at 76.7% [4].

The fifth section evaluates existing programs and legislation aimed at ensuring gender equality and recommends directions for further improvement. The Ukrainian law "On the National Police" [5] establishes a gender equality unit, but practical results require effective implementation.

In conclusion, this article aims to shed light on the vital issues of gender equality in law enforcement agencies during wartime in Ukraine. The presented literature emphasizes the urgency of addressing these challenges and encourages further research in this field.

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Анотація

Робота присвячена гендерному питанню в правоохоронних органах, в її ході наведено основні виклики та можливі варіанти його вирішення. Актуальність проблеми висока, адже на тлі браку кадрів чоловічої статі та особливими умовами роботи у воєнний час необхідно забезпечити комфортні умови роботи жінок, зокрема в правоохоронній сфері. У статті розглянуто статистику, посилання на закони та матеріали з преси, що відображає дійсну ситуацію навколо цієї проблеми.

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PROTECTION OF CONSTITUTIONAL PERSONAL RIGHTS AND FREEDOMS IN THE ACTIVITIES OF THE US POLICE

Personal rights are the rights that a person has over their own body. They are "rights (as of personal security, personal liberty, and private property) appertaining to the person" [1]. A list of constitutional personal rights and freedoms that are subject to US police activities in order of importance: the right to life, property, liberty and security of person,

inviolability of home, freedom of conscience and religion. “Law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons” [2, p.2].

The U.S. police of all levels of jurisdiction perform functions that are within their authority: patrol, administrative, detective, preventive, and special. The first three are purely police, and the special one which is to provide the police with a wide range of services to the population is called quasi-police. The police powers are exercised through such forms as (legal, organizational and logistical), and methods (general and specific) of their activities. Legal forms include constitutional, law enforcement and law enforcement; organizational forms are internal and organizational and external and organizational. General methods of policing include persuasion, direct guidance, encouragement, and coercion; specific forms are police supervision, direct police coercion, police assistance. The most common method of police activity in the field of protection of constitutional personal rights and freedoms is the method of police assistance. “Federal police units have functions to stop, detect and investigate crimes and offenses that encroach on the state system, financial and economic system of the country and environmental security. They are parts of the protection system of constitutional personal rights and freedoms” [3, p.14].

State law enforcement agencies perform road safety tasks and coordinate the activities and methodological support of local state law enforcement agencies. The patrol and administrative function and the special function (providing assistance to persons in extreme situations) are the most characteristic features of local police units which exercise a significant amount of authority in the field of protection of constitutional personal rights and freedoms as they are the closest and aware of local problems. Among the most promising activities of the US police in the field of protection constitutional personal rights and freedoms is community policing which is to establish partnerships with locals to prevent crime and emergencies, improve quality of life. The nature and scope of functions, specific forms and methods of police activities to protect constitutional personal rights and freedoms are determined by the level of jurisdiction of the relevant law enforcement agencies and the peculiarities of their legislative support, the number and social structure of the population. The reason for the severe restrictions of police rights is the fear of American society of usurpation of power and concentration of unnecessary powers in one hand. Due to the restriction of the rights of the police the society seeks to exercise control over it. The powers, duties and jurisdiction of the police are strictly limited by law as the Anglo-American legal tradition gives priority to individual freedoms in conjunction with active public scrutiny including the police. Nowadays the American police have a high degree of decentralization. It is established that in the United States civil liability of police officers is actively used which entails the obligation of a police officer or his department or educational institution in

which he received training to compensate for damage caused by wrongful acts or omissions. Liability in the broadest sense implies not only legal but also moral and political responsibility of police officers as well as their accountability and control.

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Анотація

Стаття розглядає питання конституційних особистих прав і свобод людини, визначено їх структуру, місце в загальній системі прав і свобод та їх гарантії. Досліджено передумови становлення й розвитку особистих прав і свобод людини у США та їх конституційно-правове закріплення. Охарактеризовано особливості їх гарантії. Проаналізовано конституційно-правовий механізм захисту поліцією США конституційних особистих прав і свобод людини.

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LIABILITY FOR WAR CRIMES IN THE FOREIGN LEGISLATION

A general condition for qualifying acts as war crimes is the existence of an armed conflict. In accordance with the international law, unlawful acts may be committed during an armed conflict of both international and internal nature. The Nuremberg Tribunal Statute classified war crimes as violations of the laws and customs of war, including murder, torture or enslavement or other purposes of the civilian population of the occupied territory; murder or torture of prisoners of war or persons at sea; killing of hostages; plunder of public or private property; wanton destruction of cities or villages; devastation unjustified by necessity; other crimes [1].

The commission of an international crime entails both the responsibility of the state and the responsibility of specific guilty individuals acting on behalf of the state. A characteristic feature of international legal acts that provide for the unlawfulness of an act and contain elements of criminal acts

is the absence of specific sanctions for their commission. War crimes and crimes against humanity are not subject to statutes of limitations. This provision is enshrined in the 1968 Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity [2].

At present stage, illegal actions aimed at violating international peace and security of mankind are condemned at the constitutional level in many countries of the world. The vast majority of foreign countries, especially European ones, are characterized by the establishment of liability for crimes against peace and security of mankind and other crimes in a special systematized normative act (criminal law or code). In a number of countries of the Romano-Germanic legal family (Austria, Belgium, France, Germany, Italy, Finland, the Netherlands, Spain, Switzerland, France, and the Federal Republic of Germany), there are not only general criminal acts, but also special military criminal codes that provide for liability for war crimes along with military ones [3].

In most countries, the legislator classifies war crimes as crimes that infringe on the values protected by international law (international legal order), which is reflected in the titles of the relevant sections of criminal law. For example: "Crimes against the international community" (Spain), "Crimes against values protected by international law" (Croatia), "Crimes against peace and humanity" (Bulgaria), "Crimes against peace, humanity and war crimes" (Poland), etc.

It should be noted that although not all countries use the term "war crimes", such crimes are criminalized in some form in the legislation of most European countries. First of all, war crimes are clearly distinguished in the criminal laws of countries that have implemented the provisions of the Rome Statute (Belgium, Georgia, Spain, the Netherlands, Germany, Portugal, Romania, Croatia, etc.) [4]. The criminal laws of such countries as Belgium, Bulgaria, Georgia, Latvia, Lithuania, Poland, Slovenia and others have transferred war crimes from the Convention norms with virtually no changes.

In some countries, liability for war crimes is provided by special laws. For example, the Federal Republic of Germany implemented the provisions of the Rome Statute in its legislation, which resulted in the adoption of the International Criminal Code of Germany in 2002, which is in force simultaneously with the Criminal Code. According to its provisions, the International Criminal Code applies to all criminalized acts against international law specified therein, even if they were committed abroad and have no relation to the territory of Germany (§ 1, part 1 of the General Provisions). There is no statute of limitations for crimes under this law (§ 5(1)(a) of the General Provisions). Part Two of the Code provides for criminalization of violations of international law. This part is clearly structured and consists of the following sections: section one - genocide and crimes against humanity; section two - war crimes; section three - other criminalized acts.

War crimes are divided into five groups: war crimes against persons (§ 8 of the International criminal law); war crimes against property and other rights (§ 9 of the International criminal law); war crimes against humanitarian operations and emblems (§ 10 of the International criminal law); war crimes related to the use of prohibited methods of warfare (§ 11 of the International criminal law); war crimes related to the use of prohibited means of warfare (§ 12 of International criminal law).

We would like to note that the Republic of Croatia is one of the few countries in Europe that pays maximum attention to war crimes related to violations of international law. The Criminal Code contains Chapter IX "Crimes against Humanity and Human Rights", which contains a wide range of crimes that violate the basic principles of international humanitarian law.

In particular, part 1 of Art. 91 "War Crimes" provides for liability for violations of international law during war, occupation or international military conflict or military conflict not of international concern, committing one of the grave breaches against persons protected under Geneva Convention III, namely killing, torture, biological research, causing suffering, inflicting grievous bodily harm, forcing service in the armed forces of the enemy, depriving them of the right to a fair and impartial trial, holding them hostage, or using them as human shields to protect cities, districts, or armed forces from military operations.

Article 96 of the Croatian Criminal Law establishes the limits of a commander's liability for war crimes committed by his subordinates. At the same time, liability is established regardless of the form of guilt, whether it is an intentional act – failure to prevent subordinates from committing the crimes mentioned above (part 1), or negligence – improper supervision of their subordinates if the commander should have known that they intend to commit war crimes (part 2). In the first case, the penalties are set at the same level as if he had committed the crime himself, and in the case of recklessness, a sentence of three to fifteen years in prison may be imposed.

Thus, the specifics of international criminal liability for war crimes are determined by the specifics of legal nature of their object and the conditions of their commission. As for Ukraine at present stage, in the context of irreversible process of European integration, it is important to make significant changes to the national criminal legislation system to expand the range of socially dangerous acts aimed at violating international humanitarian law during the armed conflicts and to determine the liability for their commission.

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Анотація

У роботі проаналізовано проблему відповідальності за вчинення воєнних злочинів в законодавчих документах зарубіжних країн. Зазначено, що протиправні дії, спрямовані на порушення міжнародного миру та безпеки людства, засуджуються на конституційному рівні в багатьох країнах світу. Схарактеризовано поняття воєнних злочинів відповідно до законодавств різних країн Європи. Наголошується на важливості внесення змін до кримінального законодавства України щодо розширення кола суспільно небезпечних діянь під час збройних конфліктів та відповідальності за їх вчинення.

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IMPLEMENTATION OF THE PROGRAM "COMMUNITY POLICING" DURING MARTIAL LAW

Analyzing the practice until February 24, 2022 of counteraction, prevention of criminal offenses and protection of public order, and even more so after the armed invasion of the Russian Federation on the territory of Ukraine, we can come to the conclusion that with the active participation of citizens (territorial communities, public organizations) in the law enforcement sphere, law enforcement tasks will be performed at a higher level and work will be more effective, which is the main direction of the police's activities, taking into account modern realities. In addition, during martial law, society itself is no less interested. A wide range of citizens have a desire to help executive authorities to perform their functions in terms of stopping, preventing administrative and criminal offenses and ensuring law and order in the state [1, c.12].

So, since the introduction of martial law in Ukraine, there have been significant changes in the current administrative and criminal legislation of

Ukraine. First of all, this concerns the activities of the National Police of Ukraine. For example, the Verkhovna Rada of Ukraine adopted the Law of Ukraine dated March 15, 2022 No. 2123-IX "On Amendments to the Laws of Ukraine "On the National Police" and "On the Disciplinary Statute of the National Police of Ukraine" in order to optimize police activities, including under during the period of martial law", according to which a significant number of changes and additions were made to the Law of Ukraine "On the National Police" and other normative legal acts, which relate to increasing the scope of powers, rights and duties of police officers [2].

But first of all, the main principles governing the national police remain unchanged, as listed in Chapter II of the Law of Ukraine "On the National Police": 1) rule of law; 2) observance of human rights and freedoms; 3) legality; 4) openness and transparency; 5) political neutrality; 6) interaction with the population on the basis of partnership; 7) continuity [3].

In my opinion, in a difficult situation for the country, police officers need to rely on the help and cooperation of the population during the exercise of their authority in the field of protection of human rights and freedoms. That is why special platforms and programs are being developed, the main purpose of which is to maintain the interaction of law enforcement agencies with the population.

One of these programs is "community policing" with the involvement of the community in joint prevention of crimes. The concept of "community policing" is a partnership between the police and the public to ensure safety and law and order. Therefore, in peacetime, this partnership is implemented through various programs and measures aimed at increasing citizens' trust in the police, involving them in active participation in crime prevention and investigation of offenses, but during martial law, the role of the police and the public in ensuring security increases significantly. The need for this increases due to the fact that in the conditions of hostilities and martial law there is an increase in crime related to looting, sabotage, sabotage, as well as the activities of criminal groups. In such conditions, an effective fight against crime is possible only if there is close cooperation between the police and the public [4, p. 94]. Such cooperation is implemented through the involvement of the public in the fight against crime in certain forms. In particular, it can be: crime prevention, citizens can inform the police about suspicious persons or events that may lead to a crime. Also through involvement in volunteer programs for the protection of public order, investigation of offenses. In this way, citizens can provide the police with information about criminal offenses that they have witnessed or learned about from other sources, as well as help the police in the search for criminals.

Therefore, the interaction of law enforcement agencies and the public in the field of ensuring public order in peacetime and under martial law is very important for preventing and stopping violations of human rights and freedoms.

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Анотація

У роботі зазначається, що взаємодія правоохоронних органів та громадськості у сфері забезпеченні публічного порядку в мирний час та в умовах воєнного стану є дуже важливою для попередження та припинення порушення прав та свобод людини. На думку автора, у важкій ситуації для країни, поліцейським необхідно покладатися на допомогу та взаємодію населення під час здійснення своїх владних повноважень у сфері захисту прав та свобод людини. Саме тому розробляються спеціальні платформи та програми, основною ціллю яких є підтримання взаємодії правоохоронних органів з населенням. Однією з таких програм є «community policing» з залученням громади до спільної протидії правопорушенням. В тезах схарактеризована концепція даної програми.

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INTERNATIONAL STANDARDS OF LAW ENFORCEMENT ACTIVITIES IN PEACETIME AND UNDER THE CONDITIONS OF MARTIAL LAW

International standards of law enforcement activities in peacetime and under martial law are usually based on a number of international agreements and conventions that establish rules of conduct for law enforcement agencies and military forces. In peacetime:

1. Ensuring security and protection of human rights and freedoms: Law enforcement agencies must ensure security and protection of human rights and freedoms, observing the principle of proportionality and not using excessive force.
2. Prohibition of torture and inhuman or degrading treatment: According to the Universal Declaration of Human Rights and other international documents, torture and inhuman or degrading treatment are prohibited.
3. Procedural guarantees: Law enforcement agencies must ensure the right to a fair trial, including the right to a lawyer, the presumption of innocence, and privacy.

Martial law conditions:

1. Ensuring the safety of the civilian population: According to the latest standards of international humanitarian law, warring parties must take all measures to ensure the safety of the civilian population, including protection from violence, hunger, lack of medical care, etc.
2. Respect for human rights: Warring parties must respect basic principles of human rights and freedoms, such as the prohibition of torture, degrading or inhuman treatment.
3. Absence of impunity: Martial law conditions are not grounds for impunity for law enforcement agencies and military forces. Violations of international humanitarian law must be investigated and punished. It is important to note that in the context of martial law, special rules established by international humanitarian law are often applied, which regulate the conduct of warlike characteristics and protect the rights and safety of civilians.

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Анотація

Представники правоохоронних органів повинні виконувати зазначені вище обов'язки під час виконання своїх обов'язків, тобто підтримувати громадський порядок, запобігати та розкривати злочини

та надавати допомогу та сприяння у всіх видах надзвичайних ситуацій. Їм надано конкретні повноваження, які дозволяють їм виконувати свої завдання: право застосовувати силу та вогнепальну зброю, арештовувати та затримувати, а також проводити обшуки чи конфіскацію. Вони повинні поважати права людини під час виконання цих повноважень, що означає, зокрема, дотримання чотирьох фундаментальних принципів, якими мають керуватися всі дії держави, які можуть впливати на права людини.

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THE ROLE OF PHYSICAL TRAINING OF POLICE OFFICERS IN COMBATING CRIMINAL OFFENSES UNDER MILITARY LAW

The ongoing reforms in Ukraine's law enforcement agencies have necessitated a reevaluation of officer personnel training, organization, and methods, particularly in the context of military law. The effectiveness of police officers in addressing criminal offenses under these challenging conditions relies significantly on their physical preparedness.

In recent years, Ukraine has witnessed a shift in criminal activities, accompanied by the use of modern weaponry and technology by criminals. The escalation of dangerous crimes, coupled with official statistics and media reports, highlights the critical need for law enforcement personnel to be well-prepared physically and mentally. Under martial law, the challenges faced by police officers intensify, necessitating a comprehensive understanding of the role of physical training in preparing officers for the complexities of combating criminal offenses.

Structural changes in criminal activities indicate an increased level of social danger, with organized and pre-prepared crimes demonstrating audacity, sophistication, and brutality. The professional activity of police officers is influenced by a range of factors, including neuro-emotional tension, conflict situations, and the increased likelihood of life-threatening scenarios. Analysis reveals that unprofessionalism, psychological unpreparedness, carelessness, and indiscipline contribute to the death and injury of personnel [1, p.13].

Physical training emerges as a fundamental component of police officers' professional preparation. The success of law enforcement activities is closely linked to officers' ability to manage emotional states, exhibit courage, determination, and possess high levels of physical fitness. The paper explores the specific physical demands faced by officers and the role of physical training in addressing these challenges.

Beyond physical fitness, the development of strong-willed qualities becomes essential for law enforcement officers. These qualities include the ability to overcome difficulties, perseverance, purposefulness, responsibility, self-control, adequacy of self-esteem, emotional stability, psychological reliability, and risk-taking [2, p.22]. Physical training equips police officers to handle the unique challenges associated with these situations, such as civil unrest, border security, and potential acts of aggression. The ongoing conflict in Ukraine involves elements of hybrid warfare, where unconventional strategies are employed. Physical training is essential for officers to adapt to the ever-evolving tactics employed by various actors, ensuring they remain agile and effective in countering criminal activities associated with hybrid warfare. Physical training provides officers with the necessary skills to manage large gatherings, ensuring the safety of both the public and law enforcement personnel. Martial law often involves collaboration between police and military forces. Physical training fosters interoperability, enabling seamless coordination between different branches of the security apparatus, a critical aspect of ensuring an effective response to criminal offenses during martial law. In times of martial law, maintaining public confidence in law enforcement is vital. A visibly fit and well-prepared police force instills trust among the public, reassuring them that authorities are capable of ensuring their safety and security, even in challenging circumstances. In summary, the role of physical training for Ukrainian police officers under martial law is indispensable, providing the necessary tools to navigate the unique challenges posed by the country's geopolitical context and ensuring the effective combating of criminal offenses in these demanding situations.

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Анотація

Тези висвітлюють важливість фізичної підготовки працівників правоохоронних органів в умовах воєнного стану в Україні. Сучасні реформи у правоохоронних агенціях вимагають перегляду підготовки особового складу, організації та методів роботи, зокрема в умовах воєнного стану. У статті досліджуються роль фізичної підготовки поліцейських у боротьбі зі злочинністю в умовах воєнного стану. Окрім фізичної готовності, акцентується на важливості розвитку

моральних якостей, необхідних для правоохоронців, таких як вміння подолати труднощі, стресостійкість. Загальний висновок статті вказує на те, що фізична підготовка є невід'ємною складовою професійної підготовки поліцейських в умовах воєнного стану в Україні.

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FEATURES OF INTERACTION WITH THE POPULATION IN DEOCCUPIED TERRITORIES

During the legal regime of martial law, the police have to work in territories where active hostilities were previously fought. These are de-occupied territories. The issue of interaction with the population directly or indirectly affected by the consequences of hostilities arises, because according to Article 11 of the Law of Ukraine "On the National Police":

1. Police activities are carried out in close cooperation and interaction with the population, territorial communities and public associations on the basis of partnership and are aimed at meeting their needs.

2. In order to determine the reasons and/or conditions for committing crimes, the planning of official activities of police bodies and units is carried out taking into account the specifics of the region and the problems of territorial communities [3].

Work in the de-occupied territories is primarily related to ensuring the legal regime of martial law. The Ministry of Internal Affairs creates a safe environment in the de-occupied territories. The police are carrying out stabilization measures, the pyrotechnic units of the State Emergency Service are inspecting the territories, and the migration service, together with service centers, are sending mobile stations to communities to provide their services to citizens. In general, cooperation and partnership are one of the key principles of police activity, which are implemented thanks to the appropriate forms and methods of police work, through communication with municipal authorities and the population of territorial communities. Establishing active cooperation with the population in the de-occupied territories is very important both from the point of view of providing the necessary support and assistance to the inhabitants of such territories, and from the point of view of obtaining the necessary information from the latter, which facilitates the work of the police when identifying collaborators, aides of the aggressor state, weapons and ammunition, explosive items, etc. [1].

Taking into account the catastrophic increase in the workload and the decrease in the number of personnel, it would be advisable to more actively develop such forms of interaction between the police and the public that would facilitate the organized and broad involvement of their representatives in

cooperation. It is about the fact that individual communication of police officers with individual citizens is necessary, but not sufficient to solve the primary problems of the respective territorial community as a whole, to stabilize and regulate its public life. An example of such broad interaction can be the creation of temporary public councils or forums with the involvement in their work of representatives of local authorities, local public activists, people who support the volunteer movement, with the aim of jointly forming and determining priority ways, forms and methods of implementing police and related activities on de-occupied territories for prompt and effective implementation of stabilization measures and restoration of conditions necessary for normal life [2].

Given the significant complications of the work of policemen in such conditions, it is extremely necessary to prepare employees before going on a business trip to the de-occupied regions. Such training may include special tactical training, training on the specifics of dealing with persons suspected of collaborationism, on the provision of emergency medical aid, conducting work on preliminary study of the work area, etc. In general, police bodies and units perform their duties quite professionally. There is also a tendency to improve the methods and methods of police activity, which significantly increase the efficiency of their work.

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У публікації порушується питання взаємодії підрозділів поліції з населенням на деокупованих територіях. Особливості їх діяльності в умовах воєнного стану, проведенні відповідних заходів, ґрунтуючись на принципі взаємодії національної поліції з населенням на засадах партнерства.

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INTERACTION BETWEEN LAW ENFORCEMENT BODIES AND THE PUBLIC IN THE SPHERE OF ENSURING PUBLIC ORDER IN PEACETIME AND WARTIME

The process of transforming Ukrainian society into a qualitatively new state is reinforced by the reform of all social institutions. Public order, safety of citizens, their life and health, prevention of offenses depend on the effectiveness of this state institute. Therefore, the issue of interaction between law enforcement agencies and public formations on a partnership basis, especially in martial law, is becoming more and more relevant.

In the current conditions, the coordination of the activities of law enforcement agencies and public formations should be planned and based on an effective, scientifically substantiated administrative basis with the introduction of foreign experience of public participation in human rights activities.

The interaction of law enforcement structures and local self-government bodies in the field of combating crime is also expressed in the fact that the heads of territorial police bodies must hold open meetings with representatives of local self-government bodies at the level of oblasts, districts, cities and villages at least once every two months in order to establish an effective interaction with local self-government bodies and the population. The State Border Guard Service of Ukraine is also a law enforcement agency that ensures the performance of certain tasks related to public order. It can be noted that the State Border Guard Service of Ukraine cooperates with the public to ensure public order in both peacetime and wartime. This includes informing the public about security measures, partnering with civil society organizations and facilitating joint initiatives to strengthen border security. In wartime, the State Border Guard Service of Ukraine works closely with the community in the field of mobilization and provision of important facilities.

Community initiatives such as helping the military and supporting military families are an important part of this corporation. The State Border Guard Service is also responsible for public initiatives, which may include joint patrols, partnerships in solving security problems, and joint activities to raise public awareness of the importance of border security. In wartime, civil society organizations can assist in disseminating information about changes in entry and exit, as well as cooperate in providing humanitarian aid. Joint professional training can also facilitate effective interaction.

Also, cooperation includes detecting and preventing smuggling, illegal migration and other threats on the border. Active participation of public

initiatives contributes to the formation of an effective security system and mutual understanding between the authorities and the community.

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3. Організація охорони публічного порядку.

Анотація

Воєнний час гуртує українське суспільство дедалі тісніше. Сьогодні в Україні фактично зник поділ на соціальні верстви, політичні сили, професійні об'єднання і навіть групи за інтересами. Всі, за рідкісним винятком, в єдиному пориві працюють на досягнення спільної мети - викинути окупанта за межі нашої держави. Важливим напрямом досягнення цієї мети слугує забезпечення надійної комплексної безпеки громад органами та підрозділами Національної поліції в умовах воєнного стану. Ситуація, що склалася в країні, поряд із звичними повноваженнями, що реалізуються органами і підрозділами Державної прикордонної служби України і, обумовила виконання ними більш специфічних завдань.

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THE IMPORTANCE OF INFORMATION SECURITY IN THE ACTIVITIES OF LAW ENFORCEMENT AGENCIES

Nowadays, the role of information and intensification of the use of modern information technologies in the world is extremely significant. It affects both the activities of the state apparatus in general and the work of the law enforcement system. Information is the most valuable global resource, modern information society is under constant threat of cybercrime and receiving unreliable, and sometimes harmful information. Information security – a state of protection of the needs of the individual, society and the state in information, regardless of internal and external threats. With regard to

national interests, information security means a state of protection of information resources of an individual, society and the state, which ensures the realization and progressive development of vital interests for them. Information security of law enforcement agencies is the ability of their employees to protect information resources from unauthorized access to them. The scope of rights and responsibilities of law enforcement agencies to carry out activities aimed at protecting the vital interests of the individual, society and the state from threats in the information sphere is established by the Constitution, laws and regulatory legal acts of Ukraine. Law enforcement agencies, in particular the National Police of Ukraine, is an integral part of the system of information security of the state. Law enforcement agencies have specific features of functioning in the information environment as an organization and security body of information rights of the individual. Each type of information activities of law enforcement officers differs in specific rules and the procedure for its implementation.

The National Police as the central executive body has ample access to information resources that are used in activities to ensure the protection of human rights and freedoms, interests of society and the state, crime counteraction, maintenance of public safety and order. Therefore, increasing the efficiency of activities of the National Police of Ukraine can be resolved through introduction of a reliable information security system. Authority of the police in the field of information and analytical support:

- 1) to form databases that are part of the unified information system of the Ministry of Internal Affairs of Ukraine;
- 2) to use databases of the Ministry of Internal Affairs of Ukraine and other public authorities;
- 3) to carry out information retrieval and information-analytical work; 4) to carry out information interaction with other state authorities of Ukraine, law enforcement agencies of foreign states and international organizations [2].

In recent years there have been repeated attempts to implement in Ukraine a set of measures aimed at improving mechanisms to ensure information security. However, according to statistics, their implementation has not eliminated threats to information security including at the level of law enforcement agencies, so its system needs urgent revision and improvement. According to O. Krasikov, providing of information security for law enforcement agencies of Ukraine is carried out in two forms: - organizational (organization of law enforcement, work, associated with the handling, collection, handling, storage and use of information, interaction of law enforcement officers to ensure information security); - legal (issuance of orders and directives, development of regulations, instructions, making plans, etc.) [1, p. 11–15].

Obviously, one of the most important conditions for promotion level of combating crime is the widespread use of modern scientific and technological progress, and also information technology. Experience of foreign police in

providing information security makes it possible to distinguish two areas of activity of domestic law enforcement agencies. The first is to improve activities of law enforcement agencies concerning guarantee of their own information security from within. And the second –improving the legal provision of information security at the state level. With the development and implementation of modern information technology in all areas of our lives, the level of threats of unauthorized access to the system operation and leakage is increasing. In order to build a developed society and state, the leading task is to create a developed and secure information environment. Information security is one of the key points in the system of functioning of law enforcement agencies.

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Анотація

Проаналізовано поняття інформаційної безпеки та роль правоохоронних органів в забезпеченні інформаційної безпеки. Виокремлено два напрями діяльності правоохоронних органів. Зосереджено увагу на повноваженнях Національної поліції у сфері інформаційно-аналітичного забезпечення.

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POLICE ACTIVITY UNDER MARTIAL LAW

The National Police, like any other state institution, has changed its powers, rights and obligations, competence and procedures because of the declaration of martial law in our country.

A significant number of amendments have been made to the legal acts regulating the activities of the police and those governing the functioning of this body during martial law.

For example: Article 8 of the Law of Ukraine "On the National Police" was supplemented by part four, which provides that during martial law, the police shall act in accordance with its purpose and specifics, taking into account the restrictions on the rights and freedoms of citizens, as well as the rights and legitimate interests of legal entities, which are determined in accordance with the Constitution of Ukraine and the Law of Ukraine "On the Legal Regime of Martial Law".

Article 20 of the same law, which concerns the wearing of a special badge, has also been amended. The range of cases when wearing a badge is not mandatory has been expanded: when it interferes with operational and search activities, covert investigative (detective) actions, the performance of secret tasks, etc.

Most of the amendments were made to Article 23 of the Law of Ukraine "On the National Police", which resulted in a significant expansion of the police powers.

We can distinguish the following new powers:

- receive emergency calls by shortened telephone number 102;
- upon a written request in accordance with the procedure established by law, receive free of charge from state bodies and territorial communities, legal entities of state ownership, information necessary for the performance of powers and tasks of the police, including in relation to prisoners of war, in the form and manner specified in the request. The subjects to whom such a request is addressed are obliged to respond to the request within 3 days, or if it is impossible - within 10 days, or to inform about the reasons that prevent them from providing such a response;
- to convoy persons detained on suspicion of committing a criminal offense, taken into custody, accused or sentenced to imprisonment, and to protect them in the courtroom.
- organize work on granting, depriving and confirming police officers' access to special explosive works;
- collect biometric data of individuals;
- carry out administrative supervision.

Section 5 of the Law of Ukraine "On the National Police" has also been changed in some respects related to the period of martial law.

1. The police were given the opportunity to verify documents and record the data contained in the documents if a person has external features similar to those of a person who has illegally left a place of detention for prisoners of war (Article 32(1)(1)).

2. The police have the right to stop vehicles if there is information indicating that the driver or passenger of the vehicle is a person who has illegally left a place of detention for prisoners of war.

3. According to the new version of Article 40, the police will be able to use in their activities such technical means as unmanned aerial vehicles and special technical means to counteract their use; specialized software for analytical processing of photo and video information, including for identifying persons and license plates of vehicles.

4. If it is necessary to defend against an attack that threatens the life or health of a police officer or another person, and to eliminate the danger in a state of emergency or when detaining a person who has committed an offense and/or is resisting, a police officer has the right to use any available tools, not

only those special means provided for in Article 45 of the Law (part 5 of Article 42).

5. During martial law, a police officer has the right to apply coercive measures provided for in Article 42 to persons participating in armed aggression against Ukraine, without regard to the requirements and prohibitions relating to the procedure for applying coercive measures, the procedure for using special means and the procedure for using firearms (part 9 of Article 42).

During martial law, it was forbidden to certify police officers; persons who were transferred to a higher position without certification must undergo certification in the general procedure within sixty days from the date of the end of martial law to determine their suitability for the position.

The Law of Ukraine "On the National Police" was supplemented with Article 90, according to which public control over the activities of the police is not carried out during martial law.

A new procedure for conducting an internal investigation during martial law was established, namely:

1) rules of investigation:

- an internal investigation shall be conducted in the form of written proceedings;

- may be conducted by a disciplinary commission or by one person, including an authorized manager;

- must be conducted within 15 days (the period may be extended for another 15 days);

2) suspension of the police officer:

- during the period of martial law, the police officer under investigation may be temporarily assigned to perform duties in another position, depending on the severity of the disciplinary offense and the ability of the police officer to exercise his/her powers in another position to influence the course of the investigation (badge, special equipment and weapons are not confiscated);

3) peculiarities of application of disciplinary sanctions:

- disciplinary offenses related to a police officer being on duty under the influence of alcohol, drugs or other intoxicants, as well as leaving the place of service without valid reasons, cannot be considered minor;

- within 10 days from the date of signing the order on disciplinary liability, the person who did this has the right to reduce or apply a more severe disciplinary sanction, or to release from liability if there are grounds for this;

4) appeal by a police officer against an order on disciplinary sanction:

- a police officer has the right to appeal to his/her direct supervisor within 3 days to review or cancel the disciplinary sanction (if it concerns dismissal from office or service, within 5 days, but not later than the issuance of an order on personnel to implement such a sanction);

- consideration of the report is carried out within 7 days by checking the arguments of the police officer (the response is sent according to the same rules as the order on disciplinary sanction);

- within 15 days from the date of familiarization of the police officer with the order, he/she may appeal it to the administrative court.

To summarize: during the war, police officers continue to work in an intensified schedule: they maintain roadblocks, evacuate the population, check documents and vehicles, search for and investigate saboteurs, and counter looting. When a full-scale war broke out in Ukraine, police officers did their job in all areas: those who burn tanks, those who fight, those who help civilians, those who feed them, those who evacuate people... That's why we, the police, showed our true colors.

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Анотація

У тезах досліджується вплив запровадження воєнного стану на діяльність Національної поліції України. Інститут зазнав помітних змін у своїх повноваженнях, правах та обов'язках, а також процедурних корективах. Зміни, відображені в нормативно-правових актах, конкретизують дії поліції в умовах воєнного стану, враховуючи обмеження прав громадян та інтересів юридичних осіб. Проаналізовано статті, які суттєво розширюють повноваження поліції в умовах воєнного стану.

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SPECIFICS OF NATIONAL POLICE POWERS UNDER MARTIAL LAW IN UKRAINE

The Law of Ukraine "On the National Police" dated July 02, 2015, namely part 1 of Art. 23, defines such basic police powers as: 1) the implementation of activities aimed at preventing the commission of offenses; 2) identifying the causes and conditions that contribute to the commission of criminal and administrative offenses, taking measures to eliminate them within the scope of their competence; 3) taking measures to identify criminal, administrative offenses; suppression of revealed criminal and administrative offenses; 4) taking measures aimed at eliminating threats to the life and health of individuals and public security arising from the commission of a criminal, administrative offense [3].

The specifics of the police activities under martial law regime are determined by the current legislation, first of all, by the Law of Ukraine "On the Legal Regime of Martial Law" dated May 12, 2015 [1]. According to this law, when martial law is introduced, the police support the activities of the military administration, courts, prosecutors, the judiciary, etc.; report to the military administration of the rule of law on the fight against crime, the protection of public order and the results of activities in a certain territory.

Internal threats of the martial law of Ukraine, especially criminalization of society, development of the shadow economy, various manifestations of terrorism, inadequate implementation of laws and low level of law and order, etc., are the focus of the activities of the internal affairs bodies. Consequently, the main function of the internal affairs bodies to ensure the regime of martial law is to counter internal threats, which is achieved by combating crime, especially its organized forms; counteracting various manifestations of terrorism; ensuring public security, etc.

On March 15, 2022, the Verkhovna Rada adopted Bill No. 7147, which provides for amendments to the laws "On the National Police" and "On the Disciplinary Statute of the National Police of Ukraine". According to the explanatory note, the document was developed in order to regulate the issues of police activities, primarily in martial law. It provides, inter alia, for new powers for the police, namely:

- free receipt of information necessary to fulfill the tasks and powers of the police, including information on war prisoners, from State bodies, local self-government bodies and State-owned legal entities;
- escort of persons detained on suspicion of committing a criminal offense, taken into custody, accused or sentenced to imprisonment, as well as guarding them in the courtroom.
- in cases stipulated by law, the detention in temporary detention facilities of persons detained for committing criminal or administrative offenses, persons in respect of whom detention has been applied as a preventive measure, persons subjected to administrative arrest, as well as accused and convicted persons;

- operational demining: detection, deactivation and destruction of explosive ordnance;
- technical and forensic support for the inspection of the scene of the incident, including the fire-related one, and special explosion-related work on the facts of the explosion, receipt of reports on suspicious explosive items detection or threat of explosion;
- representation and fulfillment of Ukraine's obligations in the International Organization of Criminal Police – Interpol;
- cooperation with the European Police Office (Europol);
- collection of persons' biometric data, including through fingerprinting;
- administrative supervision in accordance with the law [1].

In addition, under martial law, a police officer has the right to use weapons and special equipment against persons taking part in armed aggression against Ukraine without regard to the requirements and prohibitions of legislation.

Yevhen Zhukov (call sign Marshal), a paratrooper of the 79th Airmobile Brigade, the head of the patrol police and a participant in the war in eastern Ukraine, described the peculiarities of the work of the police during martial law. He notes “that law enforcement officers are working in an enhanced mode - they ensure the operation of roadblocks, check documents and vehicles, evacuate the population, conduct search and investigative work with saboteurs, and also counteract looting” [2].

As the press service of the National Police of Ukraine notes, since the beginning of the full-scale Russian invasion, 28 police officers have died while on duty, 88 have been seriously injured, and 7 have gone missing.

Ensuring law and order, curbing any illegal actions, protecting human rights and freedoms are entrusted to the National Police and are its urgent and priority tasks. Strict adherence to the law, transparency and openness in the activities of the police can serve as a guarantee of the public's trust in it. The level of public trust, in accordance with the Law of Ukraine "On the National Police" [3], is the main criterion for assessing the effectiveness of the activities of police bodies and units.

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Анотація

У роботі охарактеризовано внутрішні загрози воєнного стану, проаналізовано основні документи, що визначають особливості та нові повноваження національної поліції щодо протидії злочинності, забезпечення прав і свобод громадян, застосування зброї, взаємодії з Інтерполом та Європолом в умовах воєнного стану в Україні.

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FEATURES OF THE INVESTIGATION OF CRIMES AGAINST SEXUAL FREEDOM AND SEXUAL INVIOABILITY COMMITTED UNDER MARTIAL LAW

The importance of this article is explained by the fact that many children were deported from their homes as a result of the beginning of a full-scale invasion, the goal of those who contributed to their migration across the state border was not always good. In addition, today our judicial and law enforcement system does not have access to the temporarily occupied territories, which contributes to the spread of crimes related to the violation of sexual freedom and inviolability.

In accordance with Article 38 of the UN Convention on the Rights of the Child of 1989, States Parties are obliged to respect and ensure the observance of international humanitarian law applicable to them in case of armed conflict and related to children. Also, in accordance with their obligations under international humanitarian law related to the protection of civilians during armed conflicts, States Parties shall take all possible measures to ensure the protection and care of children affected by armed conflict [3].

Sexual violence is common during military conflicts. Rape is a weapon of war, and its purpose is to take power from one side and make it the dominant force. Currently, sexual violence related to a military conflict is considered a crime against humanity.

The practice of sexual violence during war is a strategic approach aimed at causing the greatest amount of suffering to both the individual and the community. This is not just an attack on the body, it is also an attempt to

undermine culture and identity, a strategy of war and a distorted desire to defeat another, all this is brought to the absolute.

As fighting continues and many cities and towns are still occupied and isolated, it is difficult to document all allegations of violence and to obtain new testimonies of victims. Reports of atrocities against civilians come from people who were able to leave the occupied territories or after the liberation of certain areas [4].

Both men and women experience sexual violence as a form of torture to obtain confessions through rape, forced exposure, threats of sexual violence against them or their relatives. Men are subject to castration, and women to sexual slavery, forced prostitution and other forms of sexual violence. At the same time, women in the war zone experience conflict-related sexual violence to a greater extent: every third woman has experienced or witnessed such violence. On the other hand, among men, only one in four experienced such violence [2].

When collecting evidence in the proceedings on sexual violence related to the armed conflict, one should take into account the obstacles that may interfere with: inspection of the scene (based on objective circumstances, it may be impossible to reach and inspect the scene due to its destruction, location in the temporarily occupied territory or in the combat zone); interrogation of witnesses and victims (the location of witnesses may be unknown or they may be outside access (to go abroad or to another area)); the injured person may be in a depressed state, refuse to testify because of disbelief that the offender will be punished, or because he is afraid of his revenge; interrogation of minors or young victims and witnesses may be difficult due to the inability to fulfill the requirements of Art. 226 of the CPC of Ukraine [1].

Effective pre-trial investigation in such court cases is facilitated by state and non-state institutions of Ukraine, which have databases containing materials that can be used to demonstrate violence during an armed conflict. It can be: portal "Ukrainian-Russian war: evidence" of the Ministry of Justice of Ukraine; Department of documenting war crimes of the Ukrainian Helsinki Human Rights Union and others.

Consequently, crimes against sexual freedom and sexual integrity of persons are a serious violation of human rights, which has particularly devastating consequences for victims. Under the conditions of martial law, such crimes can become especially cruel and be accompanied by additional difficulties in the investigation. An important condition for the successful investigation of this type of offenses is cooperation with public organizations that protect the rights of women and children. Such organizations can assist in finding victims and witnesses, as well as in providing psychological assistance.

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Анотація

У цьому аналітичному матеріалі розглядається законодавство України та міжнародні нормативно-правові акти про відповідальність за сексуальне насильство, пов'язане з воєнним конфліктом; його розвиток та перспективи реформ. Наразі, положення, за якими може настати відповідальність за такі злочини, не відповідають нагальним потребам, особливо з урахуванням того, що Україна вісім років перебуває у збройному конфлікті. Для того, щоб винні особи були притягнуті до відповідальності, враховуючи огидність скоєних ними злочинів і виконання своїх міжнародних зобов'язань, нашій державі необхідно внести відповідні зміни до національного законодавства.

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PROTECTION OF CONSTITUTIONAL HUMAN RIGHTS IN POLICE ACTIVITIES IN THE AREA OF MILITARY CONFLICT

In accordance with Article 1 of the Law of Ukraine No. 389-VIII dated May 12, 2015 "About the Legal Regime of Martial Law", Ukraine introduced the legal regime of martial law as of 05:30 on February 24, 2022. This is a special legal status that applies in Ukraine or in some of its territories in the event of armed aggression or a threat of attack that threatens Ukraine's state independence and territorial integrity and requires the delegation of appropriate powers to state authorities, military command, military administrations and local governments to prevent the threat, counteract armed aggression and ensure national security, and avert a threat to Ukraine's state independence and territorial integrity. The National Police of Ukraine, in cooperation with other state and local authorities, volunteers and citizens,

promotes and ensures public order and security, including crime prevention; protects the rights, freedoms and interests of citizens from illegal encroachments. The effectiveness of guaranteeing civil rights depends on the efficiency of the mechanism that ensures their protection and defense. This mechanism includes a legal framework, a system of authorized entities, legal instruments (forms and methods of their activity), and guarantees. The main law enforcement entity is the National Police, which is directly responsible for providing police protection of citizens' rights and freedoms [1].

War disrupts almost all aspects of human life, including human rights and freedoms. In such circumstances, people are exposed to violence, discrimination, torture and other forms of rights violations. Human rights under martial law are particularly vulnerable, and their protection can be complicated. Ensuring human rights in wartime is an extremely complex task that requires a comprehensive approach and cooperation of all stakeholders.

The National Police of Ukraine is one of the key actors tasked with protecting human rights and freedoms. The implementation of effective measures by the police to protect and defend the rights and freedoms of the population directly affects the level of law and order in the country. This determines the functioning of the security environment both at the national level and in individual regions. The importance of police activity today lies in its socially oriented (public service) nature. This is evidenced by numerous legal acts, such as the National Human Rights Strategy, the Sustainable Development Strategy "Ukraine-2020", the Law of Ukraine "About the National Police" and others. The police are responsible for preventing violations of citizens' rights and restoring them, including recording cases of rights violations, investigating them and bringing perpetrators to legal responsibility. The human rights guaranteed by the Constitution of Ukraine are inalienable and inviolable, the main ones being:

- 1) the right to life
- 2) prevention of torture, cruel, inhuman treatment or punishment
- 3) the right to property
- 4) the right to liberty and security of person.

This means that there can be no derogations or restrictions on the exercise of these rights, even in the case of a state of emergency or martial law [2, p. 14].

As a result of the beginning of Russian military aggression against Ukraine in 2014, violations of human rights and freedoms in the occupied territories of Donetsk and Luhansk regions were systemic. There was also a certain specificity in the realization of certain human rights in the territory of the Anti-Terrorist Operation (and since April 30, 2018 - in the Joint Forces Operation area). The main rights violated include the right to life and protection from torture and ill-treatment, the right to liberty and security of person, the right to property, the right to a decent standard of living, the right to education, and the rights of persons with mental health problems. Prevention of torture and other cruel, inhuman or degrading treatment is

reflected as one of the main priority areas of the Ministry of Internal Affairs of Ukraine. In particular, it is of particular relevance these days, when Ukraine is intensively involved in the struggle for its independence, national identity and democratic values [2, p. 13].

The full-scale invasion of the Russian Federation has led to the most massive human rights violations in the modern world. The attack on Ukraine has resulted in a huge number of casualties, large-scale destruction and massive displacement of civilians. The most famous, though by no means the only episode, was the massacre and torture of civilians in the city of Bucha, which was occupied for about a month. I would also like to note that since the beginning of the occupation of Crimea in 2014, the human rights situation in the occupied territory of Crimea has been deteriorating year by year. Victims of the occupation authorities cannot protect their violated rights and receive compensation as a result of the illegal and barbaric actions of the Russian occupiers. Ukraine, as an active participant in international relations, is trying to be a leading speaker on human rights issues at the global level. In order to achieve this goal, our country calls for a strong condemnation of the serious violations of international law committed by the armed forces of the Russian Federation, other military formations subordinate to it, the occupation administrations of the Russian Federation on the territory of Ukraine, as well as the political and military leadership of the Russian Federation. In order to solve these crimes and bring all perpetrators to justice and fair punishment, Ukraine facilitates all possible investigations within the framework of national and international jurisdiction [3].

In this difficult period, it is very important that all Ukrainian citizens and those living in our country feel internal unity and security. For this purpose, we need reliable support from the state authorities and protection from human rights national and international organizations. It is important to note that constitutional guarantees and legal mechanisms that ensure fundamental human rights are of particular value [2, p. 9].

In general, the issue of human and civil rights under martial law is extremely complex and multifaceted. In this legal situation, the role of the National police in the protection of human rights is of particular importance. The National Police of Ukraine is obliged to ensure security and order, while adhering to international human rights standards and ensuring that all parties to the conflict respect their rights. The National police should ensure that human rights violations, including crimes against civilians, are properly investigated. Access to justice, the right to a fair trial and the integrity of the person must be guaranteed and protected. In addition, the police must fulfill their duties in accordance with the principles of proportionality and impartiality. They must avoid all forms of violence, including degrading and ill-treatment of arrested or suspected persons. The protection of human rights under martial law is an important component of building a just and stable society. The national police must be professional, independent and meet the

highest standards of performance in order to ensure the protection of human rights regardless of the situation in the country.

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Анотація

У тезах йдеться про запровадження воєнного стану в Україні та його наслідки для прав людини, зокрема про роль Національної поліції у забезпеченні цих прав під час конфлікту. У ній підкреслюється складність забезпечення прав людини у воєнний час, наголошується на необхідності комплексних підходів і співпраці між різними зацікавленими сторонами. В роботі наголос робиться на відповідальність Національної поліції за запобігання порушенням прав людини, розслідування справ і притягнення винних до відповідальності, дотримуючись при цьому конституційних гарантій і міжнародних стандартів. Крім того, в ній обговорюються конкретні випадки порушень прав людини, зокрема внаслідок російської військової агресії, і підкреслюється відданість України боротьбі з цими порушеннями на національному та міжнародному рівнях. Загалом, стаття підкреслює важливість професіоналізму, незалежності та дотримання принципів прав людини Національною поліцією для побудови справедливого та стабільного суспільства, навіть в умовах воєнного стану.

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COUNTERACTING WEAPONS TRADE BY CRIMINAL POLICE UNITS IN UKRAINE

The issue of illegal circulation of firearms is relevant at all times, since the level of public danger, i.e. causing significant damage to social relations, makes a high threat to the state and its citizens. Since the beginning of the armed aggression of the Russian Federation on the territory of Ukraine, the

number of criminal offenses related to the illegal circulation of weapons has increased. The issue of providing a unified record of available, lost and wanted firearms is still unresolved. It, in turn, is a direct threat to the life and health of the population and social harm to the Ukrainian community.

As mentioned before by the representatives of the General Prosecutor's Office, in order to reduce crimes committed with the use of weapons by 20%, there was an increase in the effectiveness of the search for firearms and ammunition. Such measures are necessary and proportionate, especially during martial law. The creation and development of intentions to regulate the illegal circulation of arms should be legislated and put under control at the national level [1].

First of all, we propose the development of a high-quality technical, and later material basis not only for the seizure, but also the implementation of operational and investigative activities and pre-trial investigation of crimes related to the illegal handling of weapons. Such implementation will facilitate the work of monitoring compliance with the established procedure for the manufacture, acquisition, storage, accounting, transportation and use of weapons, which is directly carried out by the bodies of the Ministry of Internal Affairs of Ukraine. It is also necessary to use innovative information technologies with the involvement of the cyber police in order to search for the illegal sale of firearms on the Internet. Using information filtering in social networks to find and bring to justice the subjects of illegal acts.

Secondly, during the martial law, it would be appropriate to introduce additional sanctions to Article 190 of the Code of Ukraine on administrative offenses regarding violations by citizens of the procedure for purchasing, storing, transferring to other persons or selling firearms, cold or air weapons. In addition to the confiscation of weapons, deprivation of the special right to own them and a fine, it is necessary to submit a proposal for the introduction of corrective works as a separate penalty [2]. The state will receive 20 percent of a person's earnings for up to two months as a purpose of such collection. In our opinion, this will help to reduce the re-offending of such an offense and will serve as a preventive measure to prevent the commission of crimes. According to part 3 of Article 263 of the Criminal Code of Ukraine, a person is not subject to criminal liability for committing the actions provided for in parts one and two of this article, who voluntarily handed over weapons, ammunition, explosives or explosive devices to the authorities [3]. In turn, we propose to strengthen criminal liability for the intentional illegal carrying, storage, acquisition, transfer or sale of weapons, ammunition, explosives or explosive devices. The introduction of property confiscation as a sanction and the increase of years of imprisonment will help to carry out more effective work of preventive measures for the commission of criminal offenses.

The creation of a separate department for combating illegal arms trafficking will provide an opportunity to overcome quickly the consequences of the war in Ukraine, reduce the level of criminal offenses related to the use

of weapons, and eliminate public danger to the interests of the state and society.

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Анотація

У тезах розглядається важлива проблема боротьби з незаконним обігом вогнепальної зброї. Особливої актуальності це питання набуло після введення воєнного стану в Україні. Досі невирішеним є питання забезпечення єдиного обліку наявної, внутрішньої та розшукуваної вогнепальної зброї. Це, у свою чергу, є прямою загрозою життю та здоров'ю населення.

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EUROPOL: PROTECTING EUROPEAN SECURITY THROUGH COOPERATION WITH LAW ENFORCEMENT AUTHORITIES

Several structures engaged in law enforcement activities contributing to the prevention of crimes (preventive activity) and support of public safety have been created and they are functioning within the European Union. One of the key organizations involved in law enforcement at the EU level is Europol (European Union Agency for Law Enforcement Cooperation).

This organization has many areas of activity. Thus, within the framework of coordination and exchange of information, Europol serves as a center for promoting cooperation and exchange of information between law enforcement agencies of EU member states. Thus strengthening cooperation in the fight against transnational crime and security threats, analyzing intelligence information and providing operational support to member states

in the fight against various forms of organized crime, including terrorism, human trafficking, cybercrime, drug trafficking, etc [1].

In recent years, Europol, along with other EU law enforcement structures, has played an important role in capacity building, supporting the professional development of various law enforcement officers and promoting the best practices into police work.

Europol's mandate covers a wide range of criminal activities, including but not limited to cybercrime, terrorism, counterfeiting, drug trafficking, and human trafficking. At the same time, Europol constantly emphasizes the need for preventive activities and the importance of a joint approach to law enforcement activities in the EU.

Europol's activities are governed by the legal framework established in Council Decision 2009/371/JHA and its subsequent amendments. This decision establishes Europol as the European Union Agency for Law Enforcement Cooperation. It outlines the legal basis, objectives and operational structure of Europol [1].

Subsequent amendments and regulations further clarified the role and functions of Europol. The main goals of Europol, as stated in its legal basis, are the following: to promote cooperation and coordination of actions of law enforcement agencies; to support of existing member states in the fight against manifestations of organized crime; to provide operational and strategic analysis and to improve the effectiveness of cross-border legislation, enforcement activities.

The next normative document regulating the activities of the organization is Regulation (EU) 2016/794 [2]. This regulation, adopted in 2016, aims to strengthen the role and to expand the powers of Europol. It outlined provisions related to Europol's tasks, governance structure, resources and cooperation with partners.

Europol is accountable at the EU level to the Council of Ministers for Justice and Home Affairs. The Council is responsible for the main control and guidance of Europol. It appoints the Executive Director and the Deputy Directors, and approves Europol's budget (which is part of the general budget of the EU), together with the European Parliament. It can also adopt, along with the European Parliament, regulations related to Europol's work. Each year, the Council forwards a special report to the European Parliament on the work of Europol [1].

Europol currently operates under the Europol Regulation. This regulation was adopted on 11 May 2016, when the European Parliament voted on updated powers to enable Europol to step up efforts to fight terrorism, cybercrime and other serious and organized forms of crime. The regulation strengthens Europol's role in supporting cooperation among law enforcement authorities in the EU [1].

Europol operates under the permanent democratic supervision of the European Parliament, which ensures constant accountability and transparency

of its activities. Existing mechanisms for regular reporting and evaluation should certainly contribute to the agency's compliance with legal and operational standards.

As a central coordinating agency, Europol promotes effective and ongoing cooperation between the member states of the agreement, contributing to the general security as a whole and the security of the European Union in particular. Its activities are coordinated with the common goals of the EU to prevent and fight against various forms of crime (preventive activities) that go beyond national borders.

Europol is continuously involved in capacity building activities, providing training and expertise to law enforcement professionals across the EU. This contributes to the development of a qualified and harmonious law enforcement community.

Europol listens to what EU Member States need and analyses crime trends in the EU. The Agency supports investigations initiated by Member States, though Europol officers never arrest citizens or instigate investigations. Europol's work usually consists of dealing with crimes that require an international approach and cooperation between several countries, inside and outside the EU [1].

In recent years, Europol has been constantly increasing cooperation with law enforcement agencies and specialized organizations around the world with the aim of solving both global security problems and promoting international partnership and information exchange.

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Анотація

У публікації розглянуто різноманітні структури активно займаються правоохоронною діяльністю з метою запобігання злочинам та зміцнення громадської безпеки в рамках Європейського Союзу. Однією з ключових організацій у цій сфері є Європол, Агентство Європейського Союзу зі співробітництва правоохоронних органів. Ця стаття містить вичерпний огляд багатогранної ролі та діяльності

Європолу, наголошуючи на його значенні в координації зусиль проти транснаціональної злочинності та загроз безпеці.

Європол діє як центральний центр для координації та обміну інформацією між правоохоронними органами держав-членів ЄС. Зосереджуючись на запобіганні та боротьбі з різними формами організованої злочинності, Європол відіграє вирішальну роль у вирішенні таких проблем, як тероризм, торгівля людьми, кіберзлочинність і торгівля наркотиками. За останні роки можна помітити, що здійснено ключовий внесок Європолу у розбудову потенціалу, підтримку професійного розвитку співробітників правоохоронних органів і просування передового досвіду в поліцейській діяльності.

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INTERACTION BETWEEN LAW ENFORCEMENT AGENCIES AND THE PUBLIC IN THE SPHERE OF PUBLIC ORDER IN PEACETIME AND MARTIAL LAW

Public safety is a fragile treasure that depends not only on strict laws and the hard work of law enforcement officers, but also on the trust and cooperation of the public. This interaction takes on special significance depending on the context: whether peace reigns or war rages. Both periods require different approaches, but the common goal is to maintain order and security.

An independent system of criminal justice and law enforcement is a requisite component of a democratic state which operates effectively on the basis of the principles of respect for human and civil rights and freedoms. To set up such a system, such issues should be addressed: conducting criminal proceedings during a state of emergency, streamlining the rules of investigative jurisdiction with due regard to the outlines of improving the law enforcement agencies' activities, improving the investigative measures within criminal proceedings, completing the list of misdemeanors, improving the principles of law enforcement. Achieving these goals will contribute to creating a policy of preventing criminal offenses instead of responding to criminal offenses already committed [1].

Interaction between law enforcement agencies and the public is a key factor in ensuring public safety. This interaction can take different forms and characteristics depending on the context, in particular, peacetime or wartime.

Differences.

Powers: In peacetime, law enforcement agencies operate within well-defined legal norms with clear boundaries. In martial law, the powers are expanded, sometimes with the limitation of personal rights.

Focus: In peacetime, public safety focuses on crime prevention, community policing, and law enforcement. Martial law prioritizes national security, which can lead to restrictions on movement and activity.

Information: In peacetime, transparency and open communication are a priority. Martial law may restrict information for security reasons.

Engagement: Engaging the public through outreach, education and cooperation is critical in peacetime. Martial law can prioritize control and limit public debate.

Similarities.

Purpose: Both regimes aim to maintain public safety and order, although they use different approaches.

Mutual trust: Building trust and fostering positive relationships between law enforcement and the public remain important in both contexts.

Respect for rights: Even in wartime, it is important to respect basic human rights and legal principles. **Community Engagement:** Collaboration with community leaders and organizations is valuable in both contexts.

A characteristic feature of any war is large-scale destruction and damage, including civilian residential buildings, and as a result, the loss/damage of housing for a large part of the population [2].

Given the importance of interaction between law enforcement agencies and the public to ensure public order in both peacetime and wartime, it is recommended to: Actively implement programs of cooperation and public involvement in solving security and public order problems.

To ensure the transparency and openness of the activities of law enforcement agencies, which contributes to increasing public trust.

Develop and implement educational programs to increase public awareness of their rights and responsibilities when interacting with law enforcement agencies.

Provide a reliable legal framework for regulating interaction between law enforcement agencies and the public, which takes into account the rights and interests of both parties.

To carry out constant monitoring and evaluation of the effectiveness of interaction measures between law enforcement agencies and the public in order to improve these processes.

These recommendations are aimed at improving the quality and efficiency of interaction between law enforcement agencies and the public in the field of public order, which is key to ensuring stability and security in society.

The interaction between law enforcement agencies and the public is dynamic and multifaceted. Understanding the differences and similarities between peacetime and wartime can help develop effective strategies to

ensure public safety and build trust between law enforcement and the community.

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Анотація

У тезах доповіді розкривається важливий зв'язок між правоохоронними органами та громадськістю. Співпраця громадськості та правоохоронних органів є невід'ємною частиною забезпечення громадського порядку. Метою тез доповіді є, насамперед, співпраця та довіра між правоохоронними органами та громадськістю в мирний час та в умовах воєнного стану. Розуміючи ці моменти, можемо розробити кращі стратегії для зміцнення довіри та забезпечення громадської безпеки в будь-яких ситуаціях.

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TOPICAL ISSUES OF LAW ENFORCEMENT TRAINING AT THE MILITARY LAW INSTITUTE OF THE YAROSLAV MUDRYI NATIONAL LAW UNIVERSITY UNDER MARTIAL LAW

Cadets and students in the 262 'Law Enforcement' specialty receive training for their future military service as law enforcement officers in military administration, units of the Military Law Enforcement Service in the Armed Forces of Ukraine, and other state authorities and positions related to the protection of state and public order and security. It is worth noting that the Committee on Law Enforcement of the Verkhovna Rada of Ukraine is cooperating with a working group that, together with the Department of Legal Support of the Ministry of Defence of Ukraine, is developing a draft law on the establishment of the Military Police as a key component of military justice on the basis of the Military Law Enforcement Service of the Armed Forces of Ukraine.

The Military Law Enforcement Service servicemen are responsible for maintaining security, enforcing the law, and ensuring public order [1]. Continuous improvement of curricula, teaching methods, and tools is crucial

for effectively training law enforcement personnel. This will enable them to reliably protect people's life, liberty, and security. It has been established that the main problems of professional training for future law enforcement officers include the quality of educational services in military higher education institutions (HEIs). This quality depends on the formation of a system of professionally relevant knowledge, skills, and qualities, as well as forms of behavior and individual ways of performing professional activities. Additionally, the broad profile of training is also a factor [2].

The purpose of training specialists in the 262 'Law Enforcement' specialty at the Military Law Institute of the Yaroslav Mudryi National Law University is to produce highly qualified professionals with a comprehensive understanding of law enforcement. These individuals should be capable of engaging in law-making, law enforcement, expert consulting, and organizational and managerial activities. During the educational process, cadets and students acquire general and professional competences, the latter includes awareness of the functions of the state, forms of implementation of these functions, and the legal basis of law enforcement; Cadets are expected to comply with the basic principles of the implementation of the law enforcement function of the state; organise supervision (control) over compliance with the requirements of legislation in the field of law enforcement; and critically and systematically analyse legal phenomena. These competences are essential for their professional activities; the ability to take measures to prevent, detect and stop administrative and criminal offences, measures aimed at eliminating threats to the life and health of individuals and public safety; the ability to apply knowledge of international standards of law enforcement.

At the Military Law Institute of the Yaroslav Mudryi National Law University, the curriculum for students is academically oriented. For cadets, professional emphasis is placed on the formation of a tactical-level military specialist who has acquired professional knowledge, skills and other competencies necessary for the successful implementation of military law enforcement activities, solving complex problems of ensuring state and public security and order, collective and international security. For students, the educational and professional programme is focused on the acquisition of professional (special) theoretical and practical knowledge, skills, abilities and other competencies to effectively solve problems in the field of law enforcement arising in the course of prevention, detection, disclosure and suppression of offences. The curriculum also includes a professional course at the tactical level of law enforcement (L-1B). The curriculum is constantly undergoing changes due to the adaptation of the curriculum to the needs of the present under martial law [3].

Therefore, in view of the above, we propose to train officers in the specialty 262 "Law Enforcement" exclusively at the Military Law Institute, taking into account the comprehensive training of future officers at the

appropriate level, and in order to reduce public expenditure on the training of cadets in the above specialty, we consider it inappropriate to train specialists in this specialty at the Military Institute of Taras Shevchenko National University of Kyiv.

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Анотація

У даній роботі проаналізовано систему підготовки майбутніх офіцерів за спеціальністю «Правоохоронна діяльність». У вищих навчальних закладах (ВНЗ) система підготовки під час воєнного стану зазнає суттєвих змін. З одного боку, зростає потреба у кваліфікованих кадрах для забезпечення правопорядку та безпеки. Доведено, що підготовка правоохоронців під час воєнного стану має важливе значення для забезпечення стійкості та функціонування держави, а військовий навчальний заклад, як ключовий елемент системи підготовки кадрів, відіграє важливу роль у цьому процесі. Мета полягає у дослідженні особливостей підготовки правоохоронців у ВНЗ під час воєнного стану.

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INTERNATIONAL POLICE ORGANIZATIONS

Relevance of the research topic. International police organizations play a crucial role in ensuring international order, security, and cooperation among countries in the modern world. Founded on principles of interaction and coordination, these organizations are vital elements in the global fight

against crime, terrorism, and other threats to national and societal security. Exploring this topic reflects the essence of international police organizations as instruments for addressing transborder issues and asserting principles of justice and law on a global scale. The ability of these organizations to unite the forces and resources of countries for collective crime-fighting gives them immense significance in the complex landscape of the contemporary world.

Research objective. To investigate the characteristics of the activities of major international police organizations.

Presentation of the main material. The evolution of the modern state not only leads to the inevitable weakening of spontaneous collective societal attention but also results in functionally divided state institutions created in response to the weakening of tradition's influence. The expansion of state bureaucratic structures, such as the police, has ironic consequences. As the state grows, the relative power of its center weakens. Of course, a state does not have a single purpose, but it is also not enough to simply list numerous functions of the state. What is particularly important is that the numerous functions of the state are not always clearly harmonized, as each of them has its own instruments and institutions that develop in relative autonomy from each other and in relation to the center of the state. In relation to the center of the state. A state with many means will also have many goals. Therefore, regardless of the model proposed for adopting constitutional-democratic principles at the global level of law and politics to reduce the chances of terrorism, it must also consider how effective control over terrorism is achieved today through international cooperation between state police agencies [2, p. 248].

Today, there are quite a few organizations in the world whose main goal is to support security and law enforcement. One such formation is the International Police Association (IPA), established on January 1, 1950, in the United Kingdom.

Any police officer can join the International Police Association (IPA) at any point in their career, whether serving or retiring on full or medical service. IPA is also open to other individuals working or having worked in the police force. IPA is autonomous and does not interfere in political or social security matters. Members leave these issues to associations of excellent professionals who address specific group issues. Instead, IPA members focus on fostering friendships among all groups [1].

Another organization whose task is to ensure law and order and support the actions of law enforcement agencies is the International Criminal Police Organization, or Interpol.

The International Criminal Police Organization has become an integral part of police efforts in the world we live in today. Of course, the general public has a whimsical perception of it, drawn from newspapers, magazines, and artistic works, and tends to view Interpol as a huge and mysterious organization with agents in every country. In reality, it has no such agents,

and no country is guarded by anyone other than its own forces, for the best and most obvious legal and constitutional reasons. Indeed, the strength of Interpol largely depends on how effectively it can use human resources, skills, and knowledge of the local specifics of all the forces within its structure [4, p. 9].

Being the only police organization operating globally, Interpol plays a unique role in supporting international efforts aimed at protecting communities and creating a safer world. To achieve this worldwide, it is important for all participants in the global security architecture to share an understanding of threats and work towards the same outcomes.

Organization leaders have developed seven Global Policing Goals (GPG) to address a range of issues related to crime and safety. These goals, approved by member countries in 2017, were officially introduced in 2018. According to the Universal Declaration of Human Rights and the principle of neutrality (enshrined in Articles 2 and 3 of Interpol's Constitution, respectively), the Global Policing Goals are universal, ambitious, and based on collective action [3].

Conclusions. Therefore, it can be argued that international police organizations are a key tool in ensuring global security and combating transborder crime. Their ability to unite countries in the fight against terrorism, smuggling, and other threats creates an effective mechanism for addressing modern challenges. Additionally, these organizations play a crucial role in promoting international cooperation, establishing standards of law and human rights protection globally. In the context of globalization and technological advancements, their ability to adapt to new challenges and ensure stability in the international community is crucial.

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Анотація

У роботі розглядається питання діяльності міжнародних правоохоронних органів. Особлива увага приділяється завданням цих організацій.

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THE ROLE OF THE NATIONAL POLICE OF UKRAINE IN THE MECHANISM TO ENSURE THE PROTECTION OF HUMAN AND CIVIL RIGHTS AND FREEDOMS

Recognition, observance, and protection of human and civil rights and freedoms this issue has always been within the competence of various state authorities, as it is their most important constitutional duty (Article 3 of the Constitution of Ukraine). The National Police of Ukraine has a significant role because it is entering into various legal relations with citizens. It is endowed in this area with a range of tasks and functions (activities). On the path to European integration, Ukraine has undergone radical changes in human rights protection. One of the main differences is the reform of the internal affairs bodies. Therefore, on November 7, 2015, the Law of Ukraine "On the National Police" came into force. On October 26, 2015, the Cabinet of Ministers approved the Resolution "On Approval of the Regulations on the Ministry of Internal Affairs of Ukraine." These regulations have a significant impact on citizens because they "changed law enforcement agencies' management structure. They outlined the standard features of the organization and activities of the National Police of Ukraine, the status of police officers and their relevant service" [2, p. 312]. According to these acts, the police's main tasks are: to protect the life, health, rights, and freedoms of Ukraine citizens, foreign citizens, stateless persons; crime prevention; protection of public order, property; ensuring public safety. Due to perform these tasks, law enforcement officers were given some powers. Such reform changes are one of the main elements of the formation of Ukraine as a democratic state governed by the rule of law and the main one for restoring citizens' trust in the system of internal affairs bodies.

However, experience shows that "this system is not ideal, and to achieve an effective, efficient structure requires further changes both at the legislative and practice levels" [2, p. 312]. Protection of human and civil rights and freedoms, interests of society and the state is a priority in the National Police of Ukraine's activities. Given this guarantee of human rights should prevail in the relationship between the state and the citizen, all the country's functions should aim to protect human interests and ensure and protect his rights,

freedoms, and legitimate interests. Thus, "the activities of the police should ensure at the appropriate level: law and order, guarantee human rights, freedoms, the interests of society and the state as a whole" [4, p. 14].

The police can be defined as a particular body that is part of the law enforcement system, which "carries out the professional government (administrative) activities to protect the lives, health, rights and freedoms of citizens of Ukraine, foreign citizens, stateless persons, crime prevention, protection of public order, property and public safety" [3, p. 441]. The specifics of the mechanism of implementation of the function of protection of human and civil rights by representatives of the National Police of Ukraine depend on the performance of their functions, tasks, and the principles of law enforcement. Law enforcement and human rights functions are a component of the National Police of Ukraine's multifunctional activity. As an executive and administrative body of the state, the National Police of Ukraine "has the state powers necessary to perform its duties and realize its humanistic purpose - the protection of human and civil rights under applicable law and its own competence" [1, p. 84]. Thus, in the mechanism of ensuring human and civil rights and freedoms, it is complicated to overestimate the police's activities, primarily because it is the officers of the National Police of Ukraine who ensure the actual use of their rights and freedoms. Tasks, functions, means, and procedures for their implementation apply to virtually all citizens of Ukraine. In terms of scope and variety of positions, the National Police of Ukraine is an essential element of the mechanism for ensuring human and civil rights and freedoms in Ukraine.

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Анотація

У статті визначено та розкрито роль Національної поліції України у забезпеченні механізму захисту прав та свобод людини та

громадянина. Завдання та функції (сфери діяльності) забезпечують і захищають права і свободи людини і громадянина, якими наділяється Національна поліція України у співпраці в різних сферах правовідносин з громадянами. За обсягом та різноманітністю функцій Національна поліція України є важливим елементом механізму забезпечення прав і свобод людини та громадянина в Україні.

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TOPICAL ISSUES OF LAW ENFORCEMENT TRAINING IN PEACETIME AND WARTIME

Each country maintains an army and law enforcement agencies to ensure order and stability. They help maintain order and stability. Previously, the training of soldiers, policemen, border guards and others was somewhat simpler. They were always ready to defend their native country.

For their preparation, there are special courses and higher educational institutions have been established. In these institutions, future law enforcement officers are trained. the rules of using weapons, self-defense, discipline and everything that is necessary for the future defender of the country. In peacetime, they perform the function of stabilizing and organizing society, prevent crimes and stop them if they occur. Practical tasks, which happened much less often than now, were always relevant. On practical tasks, they use all the material they received and increase the number of skills for further service. Of course, they were always ready for all difficulties. Usually, the same number of law enforcement officers was recruited annually.

During martial law, the situation regarding the training of law enforcement agencies changed radically. The conditions of martial law demands more intensive training for law enforcement personnel. Preparing a contingency plan for the introduction of martial law, for example, the organization of search activities in the event of the appearance of an armed criminal group, requires a certain experience from the manager, knowledge of the features of the area, analysis of the operational situation, etc. In the event of the introduction of martial law, the head of the internal affairs body must carry out the measures specified in the plan of preparation for actions during this period, which includes a set of measures aimed at bringing the internal affairs body to a state of combat readiness and ensuring public safety and public order protection in the territory of operational responsibility. Protecting public order under martial law, internal affairs bodies use such methods of

social regulation as persuasion and coercion, in particular, administrative suspension.

Explanatory work as the main method of law enforcement activity, convincing citizens of the need for conscious and voluntary compliance with legal requirements, stopping anti-social behavior, preventive work in labor groups and with individuals is a necessary condition for promoting effective mobilization. Every serviceman should devote more time to physical training. The effectiveness of their work depends on the direct provision of internal security. The specifics of the organization of the activities of the internal affairs bodies regarding the protection of public order in the conditions of martial law are determined by the current legislation, primarily the Law of Ukraine On the Legal Regime of Martial Law. The psychological state of military personnel during wartime is also important. They should be morally prepared not only for martial law. During their service, they must observe order and prevent violations. Taking into account the fact that internal affairs bodies operate constantly in a difficult situation, each employee must clearly know his functional duties both in normal and in martial law conditions and carefully perform them.

Firearms may be employed by internal affairs officers only as a last resort in clearly defined cases. The Law of Ukraine "On the National Police" (Article 46) establishes in detail and exhaustively the grounds for the use of firearms. [1, c. 7]

Concurrently, there is a need to supply educational literature a number of educational disciplines, primarily those that form cadets, trainees and practical law enforcement officers, initial knowledge and skills wearing service uniforms: "Tactical-special training", "Special physical training", "Fire training. The teaching of these and some other disciplines needs updating provisions of educational and methodical materials taking into account tasks modern state of public protection (civil) order and tendencies to reform the Ministry of Internal Affairs of Ukraine.

The curriculum aims to develop abilities and skills, which correspond to the professional and qualification characteristics of the main ones positions of law enforcement officers, assigned tasks before the military at a specific stage of the development of Ukrainian society and related to the acquisition and improvement of skills regarding:

- formation of a healthy lifestyle and ways of lengthening professional longevity of police officers;
- collection, summarization and analysis of operational information situation, forecasting the development of events, adopting rational management decisions;
- formation of moral and psychological resistance to performance official tasks in special conditions;

- document checks of suspicious persons, delivery offenders to the police department, stopping and inspecting the vehicle means;
- inspection of places of possible stay of persons who are hiding from investigation and court, avoid execution of criminal punishment;
- actions upon detection of explosive devices and substances (including narcotics);
- termination of group violations of public (public) order and mass disturbances;
- detention of offenders (including armed, houses and in the area) both personally and as part of an outfit with a legitimate the use of coercive police measures;
- cessation of illegal actions with the help of firearms, application and use of weapons in official activities (acceptance) decisions on the application and use of firearms, choosing a target for disposal;
- possession of personal safety techniques in typical and in extreme situations, in case of forceful termination of illegal manifestations, as well as in case of accidents, disasters and other emergency situations;
- effective use of the main types of specials means that are on equipment in police bodies, and compliance the rules of their operation.
- methods of shooting with a pistol (machine gun) under normal conditions and conditions of limited visibility, time;
- use of firearms in confined spaces;
- invention and use of devices to improve results accurate shooting. [1, с. 7]

Therefore, the training of law enforcement officers in a state of peace and war is fundamentally different. Although the military is being prepared for changes in circumstances, the state of war requires faster and more intensive training.

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Анотація

У науковій роботі зображено усю актуальність підготовки майбутніх правоохоронців. Під час воєнного стану військові виконують найважливіші завдання для захисту незалежності та суверенітету своєї держави. Автор використала джерела, у яких чітко визначено завдання правоохоронців у мирний та воєнний час. Також, обґрунтувала думку про важливість практичних завдань для кращої підготовки.

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THE ROLE OF THE POLICE IN ENSURING AND IMPLEMENTING MEASURES OF THE LEGAL REGIME OF MARTIAL LAW

In connection with the military aggression of the Russian Federation against Ukraine, certain human rights may be temporarily limited for the period of martial law, in particular, the constitutional rights provided for in Art. 30 of the Constitution of Ukraine (everyone is guaranteed the inviolability of housing), Art. 31 (everyone is guaranteed the secrecy of correspondence, telephone conversations, telegraphic and other correspondence), Art. 32 (no one can experience interference in his personal and family life, except for the cases provided for by the Constitution of Ukraine), Art. 33 (everyone who is legally present in the territory of Ukraine is guaranteed freedom of movement, free choice of place of residence, the right to freely leave the territory of Ukraine), Art. 34 (everyone is guaranteed the right to freedom of thought, speech, and free expression of their views), as well as Articles 38, 39, 41, 42, 43, 44, 53 of the Constitution of Ukraine, which declare the rights of citizens of Ukraine to participate in the management of state affairs, for elections, for peaceful meetings, for owning and managing one's property, for entrepreneurial activity that is not prohibited by law, for work, for a strike, for education [1].

It should be noted that martial law provides the possibility of interference in the private life of individuals, in particular, control of means of communication and inspection of belongings, documents and housing, which may be accompanied by a violation of the constitutional rights and freedoms of citizens.

The Constitution and laws of Ukraine provide the possibility of temporarily restricting the constitutional rights and freedoms of a person and a citizen during operational investigative activities, inquiry and pre-trial investigation. The grounds and procedure for the implementation of these measures are determined by the legislation of Ukraine, in particular the Criminal Procedure Code of Ukraine and the laws "On operational and investigative activities", "On the national police", "On counterintelligence activities", "On organizational and legal bases of combating organized crime" and by other laws [4].

One of the leading roles in the national security system of our country is played by the National Police of Ukraine. In the event of a threat to the state sovereignty or territorial integrity of Ukraine, bodies and units included in the system of the National Police of Ukraine participate in ensuring and

implementing measures of the legal regime of martial law in the event of its declaration on the entire territory of Ukraine or in a separate area [3].

Due to the destruction of the infrastructure and the environmental problem, the directions of law enforcement agencies are changing somewhat. Thus, the following priority areas of activity of police bodies during the legal regime of martial law are distinguished: 1) recording and qualification of war crimes in Ukraine; 2) investigation of war crimes in conditions of active hostilities; 3) demining of territories and buildings; 4) protection of public order and provision of public safety; 5) detection of cases of illegal actions against children; 6) use of modern information technologies, systems and means of information protection; 7) psychological support for the activities of police bodies under martial law and provision of primary psychological assistance by police officers to various categories of citizens [2].

The National Police bodies in the conditions of martial law protect national interests and counter military threats. Law enforcement agencies focus their activities on factors that have influenced the low level of security, from which the following can be distinguished: economy, various manifestations of terrorism, lack of law and order, low level of security. The police pay special attention to the protection of constitutional rights and freedoms of citizens, ensuring social stability and environmental safety. The police confirm that Ukraine is a society and a state based on the principle of the rule of law.

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Анотація

У роботі зазначено, що одну із провідних ролей в системі національної безпеки нашої держави відіграє Національна поліція

України. Конституція та закони України передбачають можливість тимчасового обмеження конституційних прав та свобод людини і громадянина під час проведення оперативно-розшукової діяльності, дізнання та досудового слідства. В тезах зазначено статті Конституції України, які передбачають обмеження деяких прав людини під час дії воєнного стану. Визначено пріоритетні напрямки діяльності органів поліції під час правового режиму воєнного стану. Підстави та порядок здійснення цих заходів визначені законодавством України.

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ENSURING CONSTITUTIONAL RIGHTS AND FREEDOMS IN UKRAINE UNDER MARTIAL LAW

The introduction of martial law in Ukraine, of course, significantly complicates the state's guarantee of citizens' rights in the face of the objective need for their partial restriction. After all, such restriction implies a legislative narrowing of the content and scope of human rights and freedoms, as well as factors that make it impossible or difficult to realize them. The Constitution of Ukraine provides for the standards of the rule of law in such a situation. This means that:

- First, the restriction of human and civil rights is temporary and minimally necessary in nature;
- Secondly, a certain list of rights that cannot be violated under any circumstances is preserved;
- Thirdly, the final decision to declare martial law is made by the highest national representative body, the Parliament.

These provisions of the Constitution of Ukraine are in line with the Universal Declaration of Human Rights, which provides that in the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are prescribed by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society. Therefore, Art. 1 of the Law of Ukraine "On the Legal Regime of Martial Law" declares that martial law as a special legal regime introduced in the country or its separate localities in the event of armed aggression or threat of attack, threat to the state independence of Ukraine, its territorial integrity, in addition to granting the relevant state authorities, military command and local self-government bodies the powers necessary to avert the threat and ensure national security, also provides for temporary, threat-driven restrictions on constitutional rights and freedoms [1].

At the same time, Part 2 of Article 64 of the Constitution of Ukraine contains an exhaustive list of human and civil rights and freedoms, which may not be restricted, even in such difficult circumstances as martial law. These include, in particular: equality of constitutional rights and freedoms and equality before the law; the right to citizenship and to change citizenship; the right to life; the right to respect for dignity; the right to liberty and security of person; the right to send individual or collective written appeals and to a reasoned response to them; the right to housing; equal rights and obligations of spouses in marriage and family; equality of rights of children regardless of their origin and whether they are born in or out of wedlock; the right to judicial protection of human and civil rights and freedoms; the right to compensation for material and moral damage at the expense of the state or local self-government bodies; the right to know one's rights and obligations; the guarantee that laws and other legal acts do not have retroactive effect, except in cases where they mitigate or cancel a person's liability; the right to legal aid; the right not to execute manifestly criminal orders or instructions; inability to be held legally liable twice for the same offense; presumption of innocence; guarantee that a person is not liable for refusing to testify or explain himself/herself, family members or close relatives, the circle of which is determined by law [2].

Accordingly, all other constitutional human and civil rights and freedoms not specified in this list and provided for in the Constitution of Ukraine (in particular, the right to freedom of movement, free choice of residence; property rights; the right to strike; freedom of thought and speech, free expression of views and beliefs, and a number of others) may be restricted during the period of martial law, but only to the extent necessary to ensure the defense and security of the country and to the extent required by the urgency of the situation. Measures taken in this regard, taking into account international legal norms, should not entail any discrimination of individuals or groups of the population solely on the basis of gender, race, nationality, language, origin, property and official position, place of residence, attitude to religion, beliefs, membership in public associations, as well as other grounds. The list of rights that cannot be restricted even during martial law is a constitutional guarantee of human and civil rights [3].

Conclusions. Thus, in the case of martial law or a state of emergency, this cannot be a basis for the use of torture, cruel or degrading treatment or punishment, for any restrictions on the right to life, freedom of thought, conscience, religion in the sense of these rights and freedoms as adopted in the International Covenant on Civil and Political Rights and in the laws of Ukraine. And any attempts to use the introduction of martial law or a state of emergency to seize power or abuse it entail liability determined by law.

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Анотація

Розглядається проблема гарантування державою прав громадян в умовах об'єктивної необхідності їх часткового обмеження після запровадження воєнного стану в Україні. Аналізуються відповідні статті Конституції України, у яких закріплено стандарти правової держави у такій ситуації, а також Закону України «Про правовий режим воєнного стану», які декларують, що воєнний стан як особливий правовий режим передбачає тимчасове, зумовлене загрозою, обмеження конституційних прав та свобод людини і громадянина, а також прав і законних інтересів юридичних осіб із зазначенням строку дії цих обмежень. Зазначається, що Закріплення переліку прав, які не можуть бути обмежені навіть під час воєнного стану, є конституційною гарантією прав людини і громадянина.

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PREVENTIVE MEASURES OF LAW ENFORCEMENT BODIES UNDER MARTIAL LAW

Unfortunately, crime is an integral part of our society. However, in the conditions of military aggression against Ukraine, it increased essentially. Therefore, we believe that law enforcement agencies should pay attention not only to the disclosure and investigation of crimes, but also to their prevention in the first place.

Today, in the liberated territories where lawlessness reigned, it is necessary to restore order as a rule of law. This is helped by the police, whose activities are aimed at preventing criminal offenses. We think that it is necessary to mention the principles of crime prevention. The principles of crime prevention are derived from the general principles of police activity. O. Kyrychenko and V. Khmelenko note that such principles should serve as a

guide to actions aimed at eliminating negative phenomena and processes that generate crime or contribute to it, as well as preventing the commission of crimes at various stages of criminal behavior. Thus, the researchers identify a number of principles on the basis of which the activities of police units should be organized: 1) legality; 2) ensuring the protection of constitutional rights and legitimate interests of citizens; 3) scientific validity; 4) timeliness; 5) planning; 6) complexity (use of various forms, methods and means aimed not only at crime, but also at social, economic, political and other conditions affecting it); 7) humanism (as operative-investigative prevention is humanistic, since this activity has an educational nature, allows not to apply the means of criminal law to a person); 8) interaction with state authorities and the population (citizens have the right, and management bodies are empowered to assist operational units in the performance of tasks of operational and investigative crime prevention); 9) offensiveness (operativeness); 10) conspiracy; 11) confidentiality [2, p. 45]. Following these principles, preventive measures will be more effective and efficient.

In our opinion, the changes in the Criminal Code, which were introduced by the legislator, are also aimed at preventing crimes. Since the sanction for certain offenses committed during martial law is more severe. Also, one of the manifestations of preventive measures is the introduction of a curfew. First, it allows to reduce significantly the number of criminal offenses, although it limits citizens in a certain way. Second, it allows the military forces to transport equipment in such a way that it is not exposed to disclosure. Also, during martial law, it is allowed to use the capacities and labor resources of enterprises, institutions and organizations of all forms of ownership for the needs of defense, to change their work regime, to carry out other changes in production activities, as well as working conditions in accordance with labor legislation. This, in turn, is also a method and way of preventing the commission of new offenses throughout the territory. If it is necessary to involve citizens of a certain category and use their work overtime, they can be involved in such work with the appropriate entry into the Code of Labor Laws and other subordinate regulatory legal acts. That is why many bodies that ensure the proper functioning of the state work overtime, and sometimes without days off or breaks [1, p. 105].

Therefore, during martial law, the police not only direct their activities to the investigation of crimes, but also adhere to the principles and focus their attention on their prevention.

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Анотація

Поліція як правоохоронний орган в умовах воєнного стану повинна не тільки спрямовувати діяльність на розслідування, а й на запобігання злочинам, щоб мати можливість підтримувати порядок на території держави.

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PROTECTION OF CONSTITUTIONAL HUMAN RIGHTS IN THE ACTIVITIES OF THE POLICE IN THE ZONE OF MILITARY CONFLICT

In the conditions of conflicts, the problems of respect, observance, implementation and protection of human rights take on different dimensions than in peacetime, the awareness of which allows to clearly determine the orientation of law enforcement agencies regarding the use of the appropriate legal tools. Returning directly to the activities of the police authorities in ensuring the rights of citizens during martial law, I would first like to dwell on the definition of those rights of citizens that are violated during the operation of this legal regime. They include the following:

- 1) right to life, protection from torture and ill-treatment;
- 2) the right to a fair trial, the right to legal assistance (which was caused, in particular, by the limited access of conflict victims to justice);
- 3) the right to privacy;
- 4) freedom of movement;
- 5) the right to freedom and personal integrity;
- 6) freedom of thought, conscience and religion;

- 7) freedom of peaceful assembly;
- 8) freedom of association;
- 9) ownership;
- 10) the right to a decent standard of living;
- 11) the right to education;
- 12) countering discrimination;
- 13) the rights of internally displaced persons (in particular, in terms of access to social services and state aid, processing of documents);
- 14) women's rights;
- 15) children's rights;
- 16) rights of people with disabilities;
- 17) rights of persons with mental health problems;
- 18) the right to participate in the management of state affairs (in particular, by participating in voting) [c. 47].

Of course, the protection and protection of the rights of citizens violated during the martial law is not the only responsibility of the National Police. This issue is complex in nature, and therefore a wide range of state authorities (both central and local), local self-government bodies, military administrations and institutions of civil society are empowered to protect, protect and restore the rights of citizens. As for the police authorities, they are entrusted with the duty to prevent violations and restore (including recording cases of violations of citizens' rights, investigating them and bringing the guilty parties to legal responsibility) of the following citizens' rights:

- 1) the right to life;
- 2) opposition to torture, cruel, inhuman or degrading treatment or punishment;
- 3) ownership;
- 4) the right to freedom and personal integrity (refers mainly to the release of hostages and the restoration of their rights, ensuring the rights of children, in particular, the recording of cases of illegal removal of Ukrainian children by the occupiers to the territory of the russian federation for the purpose of their adoption);
- 5) the right to legal assistance;
- 6) freedom of peaceful assembly and association [2, c. 101].

It is worth noting that the urgency of ensuring the specified list of human rights by the police is due to the fact that they are mostly violated during martial law as a result of active hostilities, the occupation of certain regions and settlements. However, of course, this does not exclude the need to protect and protect those rights of citizens that are violated as a result of the commission of so-called "standard" administrative and criminal offenses (that is, those offenses that were also committed in peacetime). Of course, the number of such crimes has significantly decreased, which is due to a number of objective factors: the introduction of a curfew, the presence of roadblocks,

an increase in the presence of police and military personnel in public places, a large number of displaced persons, etc.

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Анотація

Захист прав громадян, порушених під час воєнного стану, не є єдиним обов'язком Нацполіції. Це питання має комплексний характер, а тому повноваженнями захищати, захищати та відновлювати права громадян наділені широкі органи державної влади (як центральні, так і місцеві), органи місцевого самоврядування, військові адміністрації та інститути громадянського суспільства.

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STANDARDS FOR ENSURING HUMAN RIGHTS IN THE ACTIVITIES OF THE NATIONAL POLICE OF UKRAINE UNDER MARTIAL LAW

In connection with the introduction of martial law in Ukraine on February 24, 2022, and the conduct of hostilities on its territory, the activities of all state institutions, primarily the National Police, have undergone significant changes. However, the protection of human and citizen rights from illegal encroachments is the main duty of law enforcement officers of Ukraine [1].

The National Police of Ukraine plays a leading role in ensuring reliable protection of human rights and freedoms, because its activities are directly aimed at fulfilling such a task. In addition, one of the most important principles of police activity in accordance with Article 7 of the Law of Ukraine "On the National Police" is to ensure compliance with human rights and freedoms guaranteed by the Constitution and laws of Ukraine, as well as

international treaties of Ukraine, the binding consent of which was given by the Verkhovna Rada of Ukraine, and facilitating their implementation [2].

It is worth noting that the process of ensuring administrative and legal protection of citizens' rights by the National Police should be analyzed through the prism of administrative coercion carried out by the state, which is designed to ensure order and a system of deterring citizens from committing illegal actions. Taking into account this circumstance, in order to fulfill the tasks, set by the state before the police, a significant number of changes and additions were made to the legal acts, which relate to the organization of the activities of the National Police bodies, the powers of the police officers, the order and procedure of their application of police measures during the period of martial law [3].

It should be noted that the most changes were made to Article 23 of the Law of Ukraine "On the National Police", as a result of which the scope of the main powers of police officers has significantly expanded [1]. And although the functioning of such a law enforcement body as the police must be adapted to the specifics of wartime, the practical implementation of the principle of ensuring the rights and freedoms of citizens in the activities of the police has ended up due to legislative changes. Article 8 of the Law of Ukraine "On the National Police" was amended by the legislator with part four, which stipulates that during the operation of military state of affairs, the police act in accordance with the purpose and specifics of the activity, taking into account those restrictions on the rights and freedoms of citizens, as well as the rights and legal interests of legal entities, which are determined in accordance with the Constitution of Ukraine and the Law of Ukraine "On the Legal Regime of Martial Law" [4].

According to many human rights defenders, the lack of public control not only does not contribute to the proper realization of their rights and legitimate interests by citizens, but also the police itself is deprived of an important means of monitoring the legality of the actions of its employees, improving police activity. It is also important that police activity should be aimed at meeting the needs of the population, and citizens' trust in the police is one of the main criteria for evaluating the effectiveness of police activity [5].

Taking into account the forms and methods of work that have proven themselves during the police activity, it is necessary to build modern mechanisms for the realization of citizens' rights within the framework of relations between the police and the population, to ensure the personal responsibility of each police officer for his decisions and actions before the public, because without public trust, the police will not be able to function effectively and perform the tasks assigned to it. In our opinion, the leadership of the National Police of Ukraine needs to plan and initiate the development and implementation of complex targeted programs aimed at improving the legal mechanism for the protection of citizens' rights, strengthening the

authority of the National Police of Ukraine among citizens, and improving their relations with the population. The content of such programs, in my opinion, should be: 1) creation and implementation of the development strategy of the National Police of Ukraine aimed at increasing citizens' trust in police officers; 2) conducting research to monitor public opinion regarding the activities of the National Police of Ukraine; 3) development and implementation of a legal mechanism for the restoration of the legal rights and interests of citizens violated by the police, compensation for material damage; 4) the spread of the practice of receiving citizens in the National Police bodies and directly at the place of residence, restoration of public control over the legality of police actions, development of a system of material and moral stimulation of citizens' participation in law enforcement activities, etc.

Thus, in addition to maintaining law and order in the regions of the country, an important direction of the work of the National Police in the realities of wartime is the development of effective measures to counter the violation and protection of human rights in Ukraine, the improvement of the administrative and legal mechanism for responding to violations of the rights and legitimate interests of citizens, professional and comprehensive provision help to those who need it, in a difficult time for the country. At the same time, the systematic and purposeful activity of the National Police of Ukraine regarding the effective implementation of the principle of observing the rights of citizens, close interaction with the population is a necessary condition for the implementation of European and international standards in the activities of police bodies and units.

Therefore, it is important that the actions of the police are as transparent and understandable as possible for the population, and that the police themselves carry out their professional activities only on the basis of the law and within the limits of established powers.

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Анотація

Національна поліція України відіграє провідну роль у забезпеченні надійного захисту прав і свобод людини. Процес забезпечення Національною поліцією адміністративно-правового захисту прав громадян слід аналізувати через призму адміністративного примусу, що здійснюється державою, який покликаний забезпечити порядок та систему стримування громадян від вчинення протиправних дій. Необхідно побудувати сучасні механізми реалізації прав громадян у рамках взаємовідносин поліції та населення, забезпечити персональну відповідальність кожного поліцейського за свої рішення та дії перед громадськістю.

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IMPLEMENTING POSITIVE PRACTICE OF FOREIGN COUNTRIES INTO POLICE TRAINING IN UKRAINE

The complex method of teaching often not enough attention is paid during the teaching of academic disciplines: tactical special training, fire training, special physical training, psychological training with modern special and technical means are not sufficient, and in many cases not at all admissible. When teaching these disciplines, there are many factors that directly affect quality and the level of professional training of personnel and, accordingly, their professional suitability for service combat missions in the line of duty. After analyzing similar classes in the system police training in the United States, Germany, France, Latvia and a number of other European countries, it is possible to identify more clearly the factors that need to be addressed in the system of police training units. Such factors include:

- quality of theoretical independent training of personnel;
- use of the latest technologies during the educational process and their constant improvement;
- use of modern equipment (preferably that used during service);
- use of marker weapons during practical classes on tactical-special and fire training;
- the use of special means of irritating action during the detention of the offender's nicknames;
- to involve cadets and listeners as much as possible in holding meetings of initial training, retraining for practical training, new component of training in units at future places of service, according to the state order;

- it is necessary to create educational camps and landfills everywhere in bodies and divisions of internal affairs, and also special obstacle course for moral and psychological training of personnel, educational facilities and devices that allow for operational-tactical and tactical-special training of personnel in conditions close to them to real;
- to bring as close as possible the forms and methods of conducting practical classes on tactical and special training, fire-training, psychological and special physical training for the practical activities of police officers.

Given the experience of police training in Germany and Poland, it is advisable to ensure compliance with the principle regional location, in particular proportional location in each region of educational institutions of different types. Advantages adherence to this principle is the proximity of the educational institution to the customer training, saving money on business trips of part-time students and courses postgraduate education, sending cadets to practice and further service directly to their places of residence, etc. In the three-tier system of professional departmental education that fully consistent with the Law of Ukraine «The National police» should be taken into account: the principle of stability and continuity in the appointment of police officers (taking into account the abilities and professional qualities of each police officer); gradually increase the level of knowledge, skills, abilities as you progress service and the need to respond to the conditions of official activity; all types of vocational education, including training, specialization and practical training.

Besides, our country as a participant in European processes has commitment to the consistent adoption of generally accepted legal norms. Together international regulations ratified by the Verkhovna Rada of Ukraine are component of national legislation.

So we can conclude that not only the study of theory but most importantly and comprehensive practical consolidation of the received knowledge, their transformation into skills, habit will allow to prepare police officer to the proper performance of combat missions during service under different conditions and operations.

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Анотація

Аналізуються напрями вдосконалення освітнього процесу у вищих навчальних закладах МВС України з урахування досвіду інших країн.

Розглядається трирівнева побудова підготовки поліцейських в Європі та США.

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CRIMINAL POLICE UNITS OF THE NATIONAL POLICE OF UKRAINE IN THE SYSTEM OF NATIONAL SECURITY AND DEFENSE

In today's conditions, during the occurrence of emergency situations, a large number of crimes and offenses, violations of public order and security are observed, the detection and disclosure of which is carried out using the capabilities of criminal analysis.

Security as a phenomenon was considered in the history of mankind as an indispensable property of individual rights along with the concepts of "freedom", "property", "work", representing a basic value that provides guarantees of society to its most productive and law-abiding members.

The dictionary defines that the dangers, the prevention of which creates security in the country, represent three categories: some of them can threaten both an individual and the entire society and the state; others - directly to the government; the third - mainly to an individual citizen. Thus, security represents the conditions that ensure the protection of the object from the influence of external and internal factors that cause negative consequences for the existence and development of the object.

Security acts as a reaction to a subjectively interpreted danger factor, which is evaluated according to the readiness of the subject to resist this factor. This readiness can be diagnosed as an opportunity to neutralize the threat, adapt to it or simply avoid its negative impact.

The organizational structure of the public security system as an organic part of the unified state system of national security is a set of management entities based on the division of competence and functions and united by means of communication links. It reflects the mechanism of their interaction, the optimality of construction and functioning and ensures the completeness of one or another management cycle.

The complex nature of ensuring public security does not only require an appropriate organizational structure, but also an adequate system of management subjects endowed with the necessary, in particular, administrative and other powers [4].

The subjects of public safety are: the state, public authorities (local self-government), public and other organizations and associations, as well as citizens.

The main responsibility for the state of public security lies with the state, which performs the functions of ensuring it through legislative, executive, and judicial authorities at the federal, regional, and local levels of government [1].

Ensuring public order and safety, protection of life, health, rights, freedoms and legitimate interests of citizens during emergency situations on the territory of Ukraine is carried out by the forces and means of the National Police units, which develop and implement measures to prevent and uncover theft of all types of property, vehicle thefts, and also prevent the robbery of persons who died or were injured as a result of an emergency [2, 3].

Issues of local significance of the city district include (Article 16): prevention and liquidation of the consequences of emergency situations within the city district; organization of public order protection on the territory of the city district by the municipal militia; provision of primary fire safety measures within the city district; organization of environmental protection measures within the city district; organization and implementation of environmental control of industrial and social objects on the territory of the city district, with the exception of objects whose environmental control is carried out by federal state authorities [3].

The named, as well as other bodies, when performing functions in the specified sphere, interact in various forms: exchange of information about the state of law and order in the relevant territory, the prevalence and nature of committed administrative offenses and crimes, about the social situation or its tensions, the situation related to climate and other processes, about means of prevention and liquidation of the consequences of a natural disaster, about the need to introduce restrictions provided by legislation or a state of emergency [1]. The system of national security and defense includes a set of measures aimed at ensuring national security and protecting state sovereignty. This system includes such areas as domestic and foreign policy, economy, social sphere, science and technology, as well as law enforcement agencies. Criminal analysis units of the National Police occupy an important place in the system of national security and defense. In particular, they help ensure the country's internal security, fight crime and terrorism, protect citizens' rights and state secrets. In addition, the national security and defense system ensures the preparation and mobilization of resources in the event of a threat to national security. This may include the involvement of law enforcement, the military, intelligence and other services to protect the country from an external or internal threat.

As Kiselyov A.O. notes, during a criminal analysis, the main task of a criminal analyst is to conduct an analytical study of the information available to him, as well as to create analytical products based on the results of such analysis, which are informative and recommendatory in nature and create a basis for solving operational and tactical tasks under the time of documenting

and investigating crimes, or planning preventive measures to combat crime [5, p. 64].

Therefore, the criminal analysis units of the National Police occupy their rightful important place in the system of national security and defense.

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Анотація

Організаційна структура системи громадської безпеки як органічна частина єдиної державної системи забезпечення національної безпеки являє собою сукупність суб'єктів управління, заснованих на розподілі компетенції та функцій і об'єднаних засобами зв'язку. Вона відображає механізм їх взаємодії, оптимальність побудови та функціонування та забезпечує повноцінність того чи іншого циклу управління. Ця система включає такі сфери, як внутрішня і зовнішня політика, економіка, соціальна сфера, наука і технології, а також правоохоронні органи.

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CRIME PREVENTION BY LAW ENFORCEMENT AGENCIES IN PEACETIME AND UNDER MARTIAL LAW CONDITIONS

Preventing violations is an important function of law enforcement agencies in both peacetime and wartime. In today's world, where threats of

terrorism, crime, and military conflicts are constantly increasing, the role of law enforcement agencies in ensuring public safety is becoming increasingly important. In peacetime, law enforcement agencies take a number of measures to prevent violations, such as patrolling the streets, enforcing laws, and investigating crimes. They also collaborate with other public organizations and international partners for information exchange and coordination of actions. In wartime, the tasks of law enforcement agencies become even more challenging, as they must ensure security not only in peacetime but also in conditions of armed conflict. They monitor compliance with international humanitarian law, prevent crimes against humanity, and investigate war crimes. One important aspect of the work of law enforcement agencies is cooperation with other agencies and international partners. The modern conditions of globalization and rapid information dissemination require effective collaboration between countries in combating terrorism, organized crime, and other threats. Law enforcement agencies exchange information, conduct joint operations and training, cooperate in investigating international crimes, and ensure security at the international level. This allows for a more effective fight against transnational threats and crime that may cross borders between countries and plays a key role in ensuring public safety and preventing violations of the law in both peacetime and during armed conflict.

Crime prevention by law enforcement agencies is a fundamental aspect of maintaining public safety and order in both peacetime and under martial law conditions. However, the approaches and strategies employed may differ significantly depending on the prevailing circumstances. Here's a comparison of crime prevention efforts in these two scenarios:

Peacetime:

Community Policing in peacetime, law enforcement agencies often focus on building trust and collaboration with the community through community policing initiatives. This involves officers working closely with residents to identify and address local crime issues.

Crime Analysis: Utilizing data and analytics to identify crime hotspots and trends, enabling law enforcement to allocate resources effectively and target problem areas.

Preventive Patrol: Regular patrols in neighborhoods and public spaces to deter criminal activity and respond quickly to incidents.

Public Awareness and Education: Educating the public about crime prevention strategies, such as securing homes and valuables, being vigilant in public spaces, and reporting suspicious activities.

Under Martial Law Conditions law enforcement agencies may adopt a more authoritarian approach, with heightened surveillance and enforcement measures to maintain control.

Curfews and Restrictions: Imposing curfews and restrictions on movement to limit opportunities for criminal activity and maintain public order.

Military Involvement: In martial law situations, the military may play a more prominent role in crime prevention, working alongside or in place of civilian law enforcement.

Censorship and Control: Limiting communication channels and imposing censorship to prevent the spread of misinformation or incitement to violence.

Detention and Punitive Measures: suspected criminals may face swift and severe punishment, with fewer legal protections than in peacetime.

While the goals of crime prevention remain consistent in both scenarios—to protect citizens and maintain order—the methods employed under martial law are often more coercive and restrictive due to the suspension of normal legal processes and civil liberties. Additionally, in martial law situations, the focus may shift more towards preventing dissent and maintaining political stability rather than solely preventing traditional criminal activity.

Анотація

У статті наголошується, що попередження правопорушень є важливою функцією правоохоронних органів як мирного, так і воєнного часу. У сучасному світі, де постійно зростають загрози тероризму, злочинності та військових конфліктів, роль правоохоронних органів у забезпеченні громадської безпеки стає все більш важливою. У мирний час правоохоронні органи вживають низку заходів щодо запобігання правопорушенням, зокрема патрулювання вулиць, дотримання законів, розслідування злочинів.

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IMPROVING PROFESSIONAL ETHICS AND PSYCHOLOGICAL RESILIENCE OF POLICE OFFICERS UNDER EXTREME CONDITIONS OF MILITARY CONFLICT

In today's world, as the globe faces various forms of military conflict, the role of the police becomes extremely important. Law enforcement officers in countries undergoing military events are under tremendous pressure and emotional stress. Improving professional ethics and psychological resilience becomes an urgent task aimed at ensuring the effective functioning of police units in conditions of extreme military conflict [4, p. 140].

Relevance of the Topic. In Ukraine, which is affected by military actions, the professional ethics and psychological resilience of police officers are key factors for ensuring the safety of citizens and establishing law and

order. The conditions of military conflict entail a number of features, including high risk to life, extreme pressure and instability, which jeopardizes the physical and mental health of law enforcement officers.

Deepening knowledge in the field of professional ethics will allow police officers to more effectively solve complex problems while adhering to higher standards of behavior. The introduction of programs and practices to increase the psychological resilience of police officers will help reduce cases of post-traumatic stress disorder and increase the ability to respond to challenges in extreme situations [1, p. 134].

Therefore, this topic is not only relevant for ensuring the effectiveness of the law enforcement system, but also determines the stability and security of society in the context of military conflict. The study and improvement of the professional ethics and psychological resilience of police officers is a necessity for building a strong and responsible law enforcement system in Ukraine.

During a military conflict, it is important that police officers act in accordance with high standards of professional ethics. One of the key aspects is ensuring the rights and freedoms of citizens, even under conditions when national security is under threat. The police must adhere to the principles of legality, validity and non-discrimination in their activities.

The development of ethical standards should include special requirements for the actions of police officers during the conflict. Such standards should include interrogation rules, use of force and interaction with other law enforcement and military structures.

The work of police officers in wartime requires a high level of psychological resilience. Stressful situations, great responsibility and danger can affect the psyche of employees. To overcome these difficulties, it is important to develop psychological support programs, provide psychological assistance and training on stress and traumatic experience. Also, learning and implementing self-regulation techniques and maintaining emotional resilience is important. Training reactions to stress and learning relaxation techniques can help police officers cope more effectively with extreme working conditions [3].

The development of modern technologies can contribute to improving the ethical and psychological aspects of police work in the context of military conflict. The use of virtual reality for training, the introduction of monitoring and reporting systems, as well as the development of algorithms for assessing psychological resilience can become effective tools to support police officers in wartime [2].

In summary, it is important to consider improving the professional ethics and psychological resilience of police officers as an integral part of the national security strategy in the context of military conflict. Targeted training and support measures can help improve police performance and maintain high standards of professional activity in emergency situations.

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Анотація

Оцінка професійної етики та психологічної стійкості працівників поліції в умовах військового конфлікту.

У статті розглядається актуальна проблема підвищення професійної етики та психологічної стійкості працівників поліції в умовах військового конфлікту. Автор акцентує увагу на тому, що для України, яка зазнає військових дій, професійна етика та психологічна стійкість поліцейських є ключовими факторами забезпечення безпеки громадян та встановлення правопорядку.

У публікації наголошується, що робота поліцейських під час війни вимагає високого рівня психологічної стійкості. Для подолання складнощів необхідно розробляти програми психологічної підтримки, навчання реагуванню на стрес та оволодіння техніками саморегуляції. Автор пропонує розглядати вдосконалення професійної етики і психологічної стійкості поліцейських як невід'ємну частину національної стратегії безпеки в умовах військового конфлікту.

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THE USE OF ARTIFICIAL INTELLIGENCE BY THE POLICE AS A COUNTERMEASURE TO CRIME

Today the world is undergoing very dynamic changes: reforms, the impact of the epidemic on society, current crisis situations and other

challenges and threats in various spheres. Important types of activities in the society give rise to the need for the development of new types of activities and effective mechanisms for ensuring human rights and the rights and freedoms of citizens.

The ongoing expansion of the Internet of Things (IoT) means more data is being generated, collected, and analyzed than ever before. A lot of it can be incredibly valuable in a law enforcement context.

The process of deriving actionable insights from immense amounts of data is so incredibly time-consuming that it is not remotely cost-effective when performed by humans. That's where artificial intelligence (AI) and its subcategory machine learning come in. AI is used to support many other police technologies including ShotSpotter, facial recognition, and biometrics.

It can also be used for crime mapping: crunching data that can be used to far more effectively pinpoint high-crime areas, so police can monitor them more closely and deploy additional resources. Various tools of AI help the Law Enforcement Agencies to identify doubtful patterns which are not detected by humans. It can be used in predicting the unlawful activities of a criminal through 'Artificial Neural Networks.

Artificial intelligence for “crime forecasting.” Utilizing so-called “deep learning” algorithms, programmers can train computers to analyze data from a vast array of sources and categories to predict when and where crimes are likely to occur. It allows agencies to properly allocate resources and increases the likelihood that officers will be in the right place at the right time.

Harnessing artificial intelligence capabilities. Use of artificial intelligence in combating crime is a real need and relevance. Artificial intelligence capabilities provide significant advantages over people's potential to record, warn and respond to crime at an early stage. Nowadays law enforcement agencies use artificial intelligence technology in various directions actively [1].

Face recognition. Law enforcement officers use complex software that allows automatic face recognition by comparing them with video surveillance systems and information that is already in the database. High recognition accuracy is achieved thanks to the use of biometric index technologies face parameters. These opportunities are also used in Ukraine. More than 6,200 video surveillance cameras with a facial recognition system were installed on the territory of the Ukrainian capital. Access to this system is also available to the police who often play a key role in detecting, deterring, and investigating crimes, establishing the location of wanted persons.

Use of drones: pursuit and searches for missing people. If a suspect runs through a building, down an alley, over a fence, and into the woods, officers will have a harder time apprehending him. There were cases when suspects fled from open windows or back doors, discarding evidence or identifiable clothing along the way. Without the drone, suspects would be

difficult to pursue effectively and safely. With the help of aerial surveillance of the scene, officers quickly collect any discarded weapons or drugs.

The advantage extends to searches for missing people, whether they are suspects or not. Some areas are challenging to search due to the terrain, conditions, brush density, and other factors. Drones can search wide areas using thermal imaging, quickly finding missing citizens even in harsh areas [2].

Robot drones can also detect illegal mining minerals, illegal logging, search for forest fires and help find the people who lost their way in the forest or mountains. The National Police of Ukraine plans to create a special aerial reconnaissance group in each region of Ukraine.

Ensuring road safety. Recording data, monitoring road traffic is carried out using complex of automatic recording, namely special technical means with the function of photographing. Video recording that provides the ability to automatically detect and register actual events in the database that may contain signs of administrative offenses in the field of traffic security.

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Анотація

Тези присвячені питанням використання правоохоронними органами штучного інтелекту у протидії злочинності. Підкреслено постійне розширення Інтернет речей та їх цінність у контексті правоохоронних органів. Акцентована увага на необхідності вирішення кола проблем технології використання штучного інтелекту в Україні та пошук шляхів їх вирішення з метою мінімізації негативних наслідків у разі їх використання поза правового поля.

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TRANSNATIONAL COLLABORATION STRENGTHENING GLOBAL SECURITY

In an era of increasing interconnectedness, the importance of transnational collaboration in law enforcement cannot be overstated. This

approach involves international cooperation among law enforcement agencies to address the challenges of global security. Various studies and reports emphasize the significance of such collaboration in enhancing the effectiveness of crime prevention and response efforts. Drawing insights from various authoritative sources, including the United Nations Office on Drugs and Crime (UNODC), academic studies, and international law enforcement organizations, we delve into the mechanisms, challenges, and successes of collaborative efforts in the realm of global security.

Transnational collaboration entails coordinated efforts between law enforcement agencies from different countries to address shared security concerns. The UNODC's comprehensive report [1] provides an overview of the concept, stressing its significance in combatting organized crime, terrorism, and other transboundary threats.

According to a report by the United Nations Office on Drugs and Crime (UNODC) [1], transnational collaboration plays a pivotal role in combating organized crime, terrorism, and other cross-border threats. The report highlights successful cases where joint efforts between countries have led to the dismantling of criminal networks and the apprehension of key offenders.

Examining successful cases is essential in highlighting the tangible benefits of transnational collaboration. This thesis draws on the experiences documented by Interpol [2], showcasing instances where joint efforts led to the dismantling of criminal networks and the apprehension of key offenders.

Additionally, a study published in the *International Journal of Police Science & Management* [3] explores the impact of collaborative initiatives on cybercrime investigations. The research underscores the necessity for law enforcement agencies to share information and intelligence across borders to effectively combat cyber threats.

The European Union Agency for Law Enforcement Cooperation (Europol), serves as a practical model for transnational collaboration within a regional context. Europol's official website [4] provides insights into its role in facilitating information exchange and coordination among European Union member states, emphasizing the importance of a unified approach to address evolving security challenges. Furthermore, a comprehensive analysis conducted by Interpol [2] sheds light on the benefits of transnational collaboration in tackling transnational crimes. The report emphasizes the role of Interpol in fostering international police cooperation and highlights successful operations that resulted from collective efforts.

While transnational collaboration brings numerous benefits, it is not without challenges. This thesis discusses the impediments identified in the sources, offering an analysis of strategies recommended by international organizations and scholars to overcome these challenges. As we peer into the future, the conclusion explores the evolving landscape of transnational collaboration and offers recommendations based on the collective wisdom gleaned from the UNODC, academic studies, Interpol, and Europol.

In conclusion, this thesis underscores the paramount importance of transnational collaboration in strengthening global security. By synthesizing information from authoritative sources, it provides a comprehensive understanding of the mechanisms, challenges, and successes associated with international cooperation in law enforcement. As evident from the insights provided by UNODC, academic studies, and the experiences of organizations like Europol and Interpol, international cooperation is essential to effectively address the diverse and complex challenges faced by law enforcement worldwide.

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Анотація

У статті висвітлюється механізми, виклики та успіхи колективних зусиль у сфері глобальної безпеки на основі досліджень та звітів від авторитетних джерел. Зокрема, зосереджується увага на успішних прикладах спільних дій між країнами у боротьбі з організованою злочинністю, тероризмом та кіберзлочинністю. В статті також зазначені виклики, що виникають у процесі транснаціонального співробітництва, та рекомендації щодо їх подолання, зазначаючи важливість міжнародного співробітництва в розв'язанні складних проблем правоохоронних органів.

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HOW TO ENSURE PUBLIC ORDER IN PEACETIME AND UNDER MARTIAL LAW

This given work explores the intricate relationship between police officers and the public during the peace period and of martial law. With an increasing prevalence of political instability, civil unrest, and security threats worldwide, understanding how law enforcement engages with civilians under extraordinary circumstances becomes imperative. By examining the

mechanisms, challenges, and outcomes of police-community cooperation during martial law, this research contributes to enhancing public safety, promoting trust, and safeguarding civil liberties in times of crisis. Through a comparative analysis of case studies and empirical data, this study sheds light on the evolving dynamics of police-public interactions and their implications for governance, democracy, and human rights.

Law enforcement agencies primarily work to maintain public order through various means such as patrolling, responding to emergencies, and enforcing laws and regulations. The interaction between law enforcement agencies and the public is crucial for ensuring public order, whether it's during peacetime or under martial law. Interaction with the public during peacetime often involves routine encounters such as traffic stops, investigations of crimes, responding to complaints, and community policing initiatives. Law enforcement agencies engage with the public through community outreach programs, public awareness campaigns, and partnerships with local organizations to build trust and cooperation.

Transparency and accountability are important aspects of law enforcement public interaction during peacetime, with agencies often subject to civilian oversight and mechanisms for addressing complaints or misconduct.

Martial law is a temporary imposition of military authority over a defined area, often declared during times of emergency or crisis when civilian government institutions are unable to maintain order or security effectively. It grants extraordinary powers to the military or law enforcement agencies to suspend normal legal procedures and enforce strict control over the population. Martial law is declared during extraordinary circumstances such as natural disasters, civil unrest, or threats to national security. In such situations, the role of law enforcement agencies may change significantly.

Law enforcement agencies may be granted expanded powers under martial law, including the authority to impose curfews, conduct warrantless searches, and detain individuals without due process. Public interaction with law enforcement under martial law can become more authoritarian and restrictive, with a focus on maintaining control and order rather than community engagement.

However, maintaining public trust and cooperation remains important even under martial law to prevent further unrest and ensure compliance with emergency measures. Effective communication between law enforcement agencies and the public becomes critical during martial law to provide clear instructions, address concerns, and dispel rumors or misinformation.

Martial law often involves restrictions on civil liberties, such as freedom of speech, assembly, and movement. Law enforcement's role in enforcing these restrictions can lead to tensions with the public, especially if perceived as heavy-handed or unjustified.

The manner in which law enforcement interacts with the community during martial law significantly influences public perception and trust. Clear communication, respect for human rights, and fair treatment of civilians are essential for maintaining trust and cooperation. Despite the challenges, maintaining positive relations with the community remains crucial during martial law. Law enforcement agencies may need to engage in community outreach, provide support and assistance to residents, and address concerns to foster cooperation and collaboration. Overall, effective law enforcement-community relations during martial law require a delicate balance between maintaining public order and respecting fundamental rights and freedoms. Open communication, accountability, and a commitment to serving and protecting the community are essential for navigating the complexities of law enforcement in crisis situations.

In both scenarios, the key principles of respect for human rights, proportionality, and accountability should guide the interaction between law enforcement agencies and the public. Building and maintaining trust between law enforcement and the community is essential for effective crime prevention, public safety, and the protection of civil liberties, whether in times of peace or under martial law.

Анотація

У тезах розглянуто питання взаємодії між правоохоронними органами й громадськістю під час воєнного стану та у мирний час у сфері підтримання громадського порядку. Досвід показує, що розширення повноважень поліції має як позитивні, так й негативні наслідки. З'являються певні заборони, що допомагають силовикам боротися зі злочинністю та тероризмом, але значно знижують рівень довіри громадян до поліції. Для подолання труднощів та стабілізації ситуації під час воєнного стану виокремлено принципи, яких слід дотримуватися правоохоронцям.

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LEGAL ASPECTS OF INTERACTION BETWEEN THE NATIONAL POLICE OF UKRAINE AND THE PUBLIC UNDER MARTIAL LAW

The invasion of russian federation into Ukraine has caused significant changes in everyday life and judicial proceedings, as well as in state institutions, which were primarily related to the declaration of martial law for the entire nation, as regulated by the Law of Ukraine "On the Legal Regime of Martial Law" (hereinafter - the Law) and the Decree of the President of

Ukraine "On the Introduction of Martial Law in Ukraine" of February 24, 2022, No. 2102-IX [1; 2].

Despite real and potential threats to national sovereignty, territorial integrity and other national interests, the special legal system has not demoralized Ukrainian society. Instead, the reality dictates completely new norms in which Ukraine operates, and the state authorities are developing some measures to ensure and protect human and civil rights and freedoms. In particular, it concerns law enforcement agencies, especially the National Police of Ukraine.

The issue of interaction of the National Police of Ukraine with the public under martial law has been and remains the focus of many scholars' attention. However, it is undeniable that in the current conditions of reforming the Ministry of Internal Affairs of Ukraine and introducing new methods of law enforcement against Russian aggression in Ukraine, the principle of interaction between the National Police of Ukraine and the public is indispensable. The National Police of Ukraine need comprehensive development and improvement.

It should be noted that regular and clear interaction between law enforcement agencies and society is a key to political and legal stability and progress in every country, as it is impossible to solve national development problems without stable support from society. Article 1 of the Law of Ukraine "On the National Police of Ukraine" states that the National Police of Ukraine is a central executive body that serves the public by ensuring the protection of human rights and freedoms, combating crime, and maintaining public safety and order [3].

It should be emphasized that the National Police of Ukraine is guided in its activities by the Constitution of Ukraine, ratified international treaties and other laws. The Constitution of Ukraine stipulates that "a person, his/her life and health, honor and dignity, inviolability and security are recognized in Ukraine as the highest social value. Human rights and freedoms and their guarantees determine the content and direction of the state's activities. The state is accountable to the individual for its activities. Affirming and ensuring human rights and freedoms is the main duty of the state" [4].

Article 11 of the Law of Ukraine "On the National Police of Ukraine" stipulates that "the activities of the police are carried out in close cooperation and interaction with the population, territorial communities and public associations on the basis of partnership and are aimed at meeting their needs" [3]. Therefore, it is important to determine the priority goals of creating a public safe space during martial law by implementing measures such as: creating joint police and territorial defense groups; strengthening patrols in post-war or temporarily occupied settlements; prohibiting access to fireworks; implementing measures to ban the sale of alcohol beverages in territorial communities; involving the private sector in working with public administration to combine their capabilities to evacuate, transport, and secure.

Thus, the interaction of the National Police of Ukraine with citizens under martial law is a socially, politically and legally coordinated function in the form of cooperation between the National Police of Ukraine and public organizations. It is carried out by using appropriate regulatory and legal instruments to overcome the problems associated with crimes caused by the military aggression of the Russian Federation in Ukraine and violations of public order and security.

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Анотація

Роботу присвячено взаємодії Національної поліції України з громадськістю. Особливої актуальності ця проблема набула після вторгнення російської федерації в Україну. Автор розглядає основні аспекти співпраці співробітників Національної поліції з громадськістю під час воєнного стану.

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THE CONCEPT OF "AUTHORIZED UNITS OF THE NATIONAL POLICE OF UKRAINE IN THE FIELD OF PREVENTING AND COMBATING DOMESTIC VIOLENCE"

Recently, the legal term "authorized unit(s) of the National Police of Ukraine" has been actively used in the development of regulatory legal acts on the activities of the National Police and its units, instead of specifying a specific unit of the National Police, which in accordance with carries out the implementation of certain tasks of its powers. As an example, the above-mentioned term is used in the following legal acts: the Code of Ukraine on

Administrative Offenses, the Law of Ukraine "On Bodies and Services for Children and Special Institutions for Children", the Law of Ukraine "On Prevention and Combating Domestic Violence", in a number of departments normative legal acts, in particular, in the Instructions for organizing the work of juvenile prevention units of the National Police of Ukraine, in the Procedure for actions of bodies (units) of the National Police in case of detection of persons, vehicles and documents, information about which is contained in the data banks of the information system of the International Criminal Organization police - Interpol and others. On the one hand, this approach to legislative technique is justified, because when changing names, implementing organizational and staffing changes in the structure of the National Police, the adopted norms do not need to be changed, on the other hand, it introduces certain disagreements and misunderstandings in law enforcement practice, since the phrase "authorized (-no) unit(s) of the National Police of Ukraine" in a certain norm determines its blanket nature and automatically refers us to other normative legal acts, the reference to which does not always allow us to give a clear answer as to whether this or that unit of the National Police is authorized for the implementation of certain actions.

With the adoption in 2017 of the Law of Ukraine "On Prevention and Counteraction to Domestic Violence" the concept of "authorized units of the National Police of Ukraine in the field of prevention and counteraction to domestic violence" appeared in legislation and law enforcement practice [1], in particular in Part 3 of Art. 6 states that the authorized divisions of the National Police of Ukraine are the bodies entrusted with the functions of implementing measures in the field of prevention and countering domestic violence, however, it is not specified which divisions are responsible for this line of work, and how specific divisions. The National Police should be authorized to implement the specified functions. Reference to other normative legal acts also does not give a clear answer to this question.

The concept of "authorized" in the "Dictionary of the Ukrainian Language" is interpreted as someone who has certain powers [2]. That is, in order for the unit of the National Police of Ukraine to be authorized in the field of prevention and countermeasures against domestic violence, it must be given the appropriate powers.

If we analyze the powers of the police specified in Art. 23 of the Law of Ukraine "On the National Police" [3], clause 18 states that the police, in accordance with the tasks assigned to it, take measures to prevent and counter domestic violence or gender-based violence, however, again this norm is generalized and does not apply specific units, and the police as a whole, however, to say that all structural units of the National Police implement the functions of implementing measures in the field of preventing and countering domestic violence is unfounded.

The analysis of departmental regulatory legal acts allows us to state that for individual structural divisions of the National Police, the prevention and counteraction of domestic violence is directly indicated as the tasks of their activities. Thus, Clause 1, Section II of the Instructions for the Organization of the Work of the Juvenile Prevention Units of the National Police of Ukraine states that the main tasks of the Juvenile Prevention Units are to take measures to prevent and counter domestic violence committed by and against children, as well as child abuse [4]. In para. 8, point 2 of Section II of the Instructions on the Organization of the Activities of Precinct Police Officers states that the main areas of activity of precinct police officers are to take measures to prevent and stop family violence [5], however, this norm must be brought into compliance with the Law of Ukraine "On prevention and combating domestic violence". And if precinct police officers and inspectors of juvenile prevention are undeniably defined as "authorized units of the National Police in the field of prevention and counteraction of domestic violence", due to their possession of the relevant powers defined in the provisions of the normative legal acts, such norms do not exist for other units of the National Police.

Analysis of Article 10 "Powers of authorized units of the National Police of Ukraine in the field of prevention and counteraction of domestic violence" of the Law of Ukraine "On Prevention and Counteraction of Domestic Violence" allows us to state that such units also include the patrol police, which in particular exercises such powers, as:

- 1) detection of facts of domestic violence and timely response to them;
- 2) reception and consideration of applications and reports of domestic violence;
- 3) informing affected persons about their rights, measures and social services they can use;
- 4) issuance of urgent injunctions against offenders [1]. These powers, along with the police, can also be exercised by investigators when responding to facts of domestic violence as part of an investigative-operational group.

In turn, only arms control units in the field of the permit system can exercise the authority to cancel permits for the right to purchase, store, and carry weapons and ammunition to their owners in the event of domestic violence, as well as confiscation of weapons and ammunition in accordance with the procedure established by law [1].

So, in summary, we note that the authorized units of the National Police of Ukraine in the field of prevention and counteraction of domestic violence are patrol police units, units of preventive activities (which include precinct police officers, juvenile prevention units, units for controlling the circulation of weapons in the field of the permit system and specially created units to prevent and combat domestic violence), as well as units of pre-trial investigation bodies.

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Анотація

Для окремих структурних підрозділів Національної поліції як завдання діяльності прямо вказано на запобігання та протидію домашньому насильству. Лише підрозділи контролю за озброєнням у сфері дозвільної системи можуть здійснювати повноваження щодо анулювання дозволів на право придбання, зберігання та носіння зброї та боєприпасів їх власникам у разі домашнього насильства, а також конфіскації зброї та боєприпасів у встановленому законом порядку.

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THE MECHANISM TO PROTECT THE CONSTITUTIONAL RIGHTS OF PEOPLE AFFECTED BY THE ARMED CONFLICT

Since the beginning of the full-scale invasion and the introduction of martial law in the country, the number of officially registered internally displaced people has reached 4.9 million, according to estimates made by the Ministry of Social Policy of Ukraine.

Being under the occupation of the aggressor state, citizens are deprived of the protection of their fundamental constitutional rights, such as the right to life and security. The deterioration of the socio-economic situation in the country leads to complications in the exercise of human rights both on the

occupied territories and in the rest of Ukraine. Citizens fleeing their homes due to the occupation are forced to move to another part of the country to save their lives.

Due to the large number of internally displaced people, in June 2022 the position of the Commissioner for Internally Displaced Persons was created within the Ministry of Reintegration of the Temporarily Occupied Territories of Ukraine.

One of the key tasks in resolving the problematic issues of internally displaced people is to grant them the appropriate status. Today, the process of issuing most documents related to the legal status of citizens is carried out through local authorities.

H. Khrystova correctly distinguishes two types of positive obligations of the state in the context of armed conflict - in the context of temporary loss of control over a part of its territory and those related to the consequences of the armed conflict within its actual territorial control [1, p. 58].

Considering the first type of positive obligations, it is worth noting that the European Court of Human Rights (ECtHR) in its judgments has emphasised that even with limited control of the state over a certain part of its territory, it must take all possible and available measures to ensure, respect and protect human rights. For example, in the case of *Ilascu and Others v. Moldova and Russia* (application no. 48787/99), the ECtHR recognised that even if the Russian Federation has effective control over the Transnistrian Moldovan Republic, Moldova is not exempt from fulfilling its positive obligations under the Convention and its Protocols [2].

Analysing the second type of positive obligations, it is worth noting that the state must assume responsibility for the fate of people during armed conflicts, including the obligation to establish responsibility for the fate of missing people.

On 23 February 2023, the Verkhovna Rada of Ukraine adopted the Law of Ukraine "On Compensation for Damage and Destruction of Certain Categories of Real Estate as a Result of Hostilities, Terrorist Acts, Sabotage Caused by the Armed Aggression of the Russian Federation against Ukraine, and the State Register of Property Damaged and Destroyed as a Result of Hostilities, terrorist acts, sabotage caused by the armed aggression of the Russian Federation against Ukraine" No. 2923-IX, which provides for a mechanism of compensation for damage and destruction of certain categories of real estate as a result of hostilities, terrorist acts, sabotage caused by the armed aggression of the Russian Federation against Ukraine [3].

It is important to note that compensation will be provided only for property damaged or destroyed from 24 February 2022 and within three years after the termination or cancellation of martial law in the territory where the property is located. The law will not apply to facilities that were located in the temporarily occupied territory at the time of the introduction of martial law.

Summarising the above, it can be concluded that today an important task is to ensure, implement and protect the rights and freedoms of internally displaced people. Based on the case law of national courts and the European Court of Human Rights (ECHR), the state must fulfil positive obligations to ensure full respect for the rights and freedoms of this category of people and prevent arbitrary restrictions by state authorities.

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Анотація

В тезах розглядаються питання захисту основних конституційних прав людей, таких як право на життя та безпеку. Метою тез є показати механізм захисту конституційних прав людей, постраждалих від воєнного конфлікту. Проаналізовані причини ускладнень у реалізації прав людини як на окупованих, так і на решті території України. Наведені ключові завдання вирішення проблемних питань внутрішньо переміщених осіб. Надані приклади практики національних судів та Європейського суду з прав людини. Підкреслена роль держави у виконанні позитивних зобов'язань щодо забезпечення повного дотримання прав та свобод.

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CURRENT ISSUES IN THE TRAINING OF LAW ENFORCEMENT OFFICERS IN PEACETIME AND DURING A STATE OF WAR

Training law enforcement officers is crucial for maintaining public safety and security, both in peacetime and during a state of war. However, there are several current issues that need to be addressed to ensure effective and appropriate training for law enforcement officers in these different contexts.

Differentiating Roles and Mindsets:

Law enforcement officers in peacetime are primarily tasked with maintaining law and order, protecting the community, and serving as guardians of the public [1].

During a state of war, law enforcement officers may be involved in military operations, counterterrorism efforts, and protecting critical infrastructure.

It is essential to clearly define and differentiate the roles and mindsets of law enforcement officers in these two contexts to avoid confusion and ensure appropriate training.

De-escalation Techniques:

Law enforcement officers need to be trained in de-escalation techniques to effectively handle tense situations and minimize the use of force.

The federal government should work with law enforcement agencies to develop best practices on de-escalation techniques and provide practical guidance for their implementation [1].

Policies and Protocols for Equipment Use:

Law enforcement agencies should have specific, written policies and protocols regarding the use, deployment, and data-keeping of military and tactical equipment.

The federal government should ensure that agencies adhere to these policies before acquiring or using such equipment [1].

Transparency and Accountability:

Building trust between law enforcement and communities requires transparency and understanding of how tactical military equipment is being used.

Law enforcement agencies should collect and report data on the deployment of military equipment, including information on its effectiveness and the demographics of those affected.

Prohibited and Controlled Equipment:

Certain equipment and weapons, such as tracked armored vehicles, armed aircraft, and bayonets, should be designated as prohibited from being transferred to law enforcement agencies [2].

Other tactical and military equipment should be subject to more rigorous screening processes and only available for specific emergency or humanitarian purposes.

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Анотація

Підготовка правоохоронців має вирішальне значення для підтримання громадської безпеки як у мирний час, так і під час війни. Правоохоронці повинні бути навчені методам деескалації для ефективного вирішення напружених ситуацій і мінімізації застосування сили. Правоохоронні органи повинні мати конкретні письмові інструкції та протоколи щодо використання, розгортання та зберігання даних про військову і тактичну техніку. Побудова довіри між правоохоронними органами та громадами вимагає прозорості та розуміння того, як використовується тактична військова техніка.

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THE ROLE OF DIGITALIZATION OF ADMINISTRATIVE SERVICES UNDER THE CONDITIONS OF THE MARTIAL LAW

The war in Ukraine definitely affected all spheres of the country's activities, including the digitization of administrative services. The development of electronic services was aimed at ensuring citizens' access to high-quality and convenient public services, without corruption risks. This really gives citizens the opportunity to freely access their own documents, statements and provides solutions to some issues, which used to be solved for weeks in huge queues, in ten minutes in a smartphone. At the time of martial law, digitization of administrative services is the best solution to most of the problems facing society in today's conditions.

One of the vivid examples is the "ACTION" application, the activity of which is aimed at convenient and quick access to digital documents. On the ACTION portal, where 33 electronic services are available, every citizen can receive electronic services and information about himself from state electronic information resources [1], in particular: a digital passport of a citizen of Ukraine in the form of an ID card and a digital passport of a citizen of Ukraine for travelling abroad (1 country in the world); digital driving licence (10th country in the world); digital vehicle registration certificate and mandatory car insurance policy; digital student card; the possibility of receiving notifications.

So, the "ACTION" application combines most of the administrative services that Ukrainians use every day. Considering the modern realities of war, this is extremely useful, because access to some state institutions and organizations is impossible, physical documents of citizens are lost. Also, obtaining documents remotely ensures security, since the stay of citizens in state institutions can be quite dangerous, given the numerous air alarms and the danger of shelling by Russia. People who lost their documents as a result of the war have the opportunity to temporarily use electronic ones. Also, during the period of martial law, "E-document" was created in "ACTION", which is a temporary digital identity card. . In this regard, we note that Article 8 of the Law of Ukraine "On Electronic Documents and Electronic Document Management" states that the legal force of an electronic document cannot be denied exclusively solely because it has an electronic form [2]. However, it is worth paying attention to the fact that in the presence of only electronic documents, for example, crossing the border is impossible. Currently, this may create inconvenience for persons who have completely lost their identity documents.

Taking into account the above, it should be noted that the digitalization of administrative services acquires special importance in the conditions of martial law, as it can help to increase the efficiency, speed and security of the provision of such services. Digital tools can help streamline the paperwork process, access to which may be difficult due to restrictions on movement or access to administrative institutions. The digital platform also provides the possibility of remote access to services, which is important in a military environment where people may have limited access to offices and facilities. In order to ensure data security and privacy, it is important to implement appropriate cybersecurity measures. However, it is worth considering that digitization must be accompanied by measures, which are aimed at teaching people to use electronic services to ensure accessibility and competent use of electronic applications in all segments of the population, including those who may have limited access to technology.

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Анотація

Розвиток електронних сервісів спрямований на забезпечення доступу громадян до якісних та зручних публічних послуг, без корупційних ризиків. Цифрові інструменти можуть допомогти спростити процес оформлення документів, доступ до яких може бути ускладнений через обмеження на пересування або доступ до адміністративних установ. В умовах воєнного стану цифровізація адміністративних послуг є найкращим вирішенням більшості проблем, які постають перед суспільством.

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INTRODUCTION OF "COMMUNITY POLICING" IN CONDITIONS OF MARTIAL LAW IN UKRAINE

Community policing involves building trust within communities through direct interaction and dialogue. Community policing is a new concept in Ukraine that helps the National Police of Ukraine make community policing a cornerstone of police work. In general, this strategy of policing was initiated in the USA in the early 80s, when they tried to improve the relationship between the police and ethnical minorities persons [3].

Since the beginning of a full-scale invasion of the Russian Federation, the functionality of the units of the Ministry of Internal Affairs has changed by 70 percent [3]. In addition to law enforcement and security, the duties of the police were supplemented by the identification of sabotage and intelligence groups, the investigation of war crimes, the organization of checkpoints, the evacuation of civilians [2]. Taking into account the full-scale invasion of the Russian Federation, changes were made to the current legislation of Ukraine and this contributed to the need for the state to develop concepts of a safe community under martial law and post-war reconstruction.

Work experience in the development of "Community Policing" will be useful not only during the war, but also in the post-war reconstruction of

communities [2]. In this thesis, I want to analyze the development of the "Community Policing" approach in the conditions of war, using the example of the Odesa region, to determine the problems and prospects of cooperation between the community and the police [3]. In times of war, the need for dialogue between civil society and law enforcement is more important than ever. A safe environment in the community is created by the joint efforts of its residents and the police. Cooperation to improve the level of security in the community helps establish an open and trusting relationships between residents and police officers.

This policing strategy includes providing each territorial community with a police officer and a certain police station. In the conditions of martial law, total energy savings, the police station is also a heating station, where everyone who needs it can warm up, recharge gadgets, get other help [1]. This experience of police officers was held in the Odesa region in July 2022. Such persons were trained according to the American system, having acquired the ability to provide not only law enforcement services, but also social services [3]. It is important to note that community police officers are actively involved in working with the vulnerable categories of people, which is especially important in the conditions of war. First of all, it concerns the direction countering domestic violence. At the same time, the police pay special attention to families with children, because they should not witness quarrels between parents, bullying each other and receive psychological injuries.

Neighborhood policing is described as a further development of community policing principles. This technology is based on involving of community residents to perform law enforcement functions. The main element of this approach is a foot patrol organized by the inhabitants of the community. A common example is the "Neighborhood Watch" [1]. Such a project was introduced in regional centers and in rural areas of Ukraine. For example, such an initiative was launched in the villages of Vita-Poshtova and Yurivka of the Kyiv-Svyatoshinsky district of the Kyiv region [3].

The idea of using the method of dialogue to adapt the principles of "Community policing" in communities is based on the common basic characteristics components of "Community policing" and dialogue. The use of dialogue allows you to quickly receive information about local problems. The basic characteristics of "Community policing" are the increased participation of the community in decision-making and the police response to specific problems of the local community [4]. The police perform a service function and implement a "proactive policing" approach focused on the prevention of offences in cooperation with the local community.

A community policing performance assessment was carried out in October 2022 and the result was positive, as evidenced by survey rates among the community [3]. The use of the "Community policing" approach significantly increases the sense of security of local residents, trust in the police and satisfaction with their work.

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Анотація

Формування довіри в громадськості завжди залишалось одним серед головних завдань в поліцейській діяльності, і враховуючи сьогодення «community policing» являється важливою концепцією в Україні, яка допомагає Національній поліції України покращити стосунки між жителями та поліцейськими. Під час війни потреба в діалозі між громадою і правоохоронними органами є значимою як ніколи, тому безпечне середовище створюється спільними зусиллями.

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INTENSIVE TRAINING OF FUTURE LAW ENFORCEMENT OFFICERS AS AN IMPORTANT PART OF THEIR PROFESSIONAL ACTIVITY

A foreign language is a significant part of the verbal method of negotiating with people, which should be motivated to be developed among police officers. For a police officer, his job is one of the most important in the world: to serve and protect people, knowledge of a foreign language is an integral part of the professional performance of tasks. A policeman must be able not only to formulate thoughts correctly, but also to adhere to the cultural norms accepted by native speakers [1].

The English language should be given the most attention, because Ukraine is a member of many international organizations, including Interpol, with whose agents it will be necessary to communicate not in their language

or mine, but in English. Therefore, if we approach this question more broadly, then we can understand that the English language needs to be learned by policemen all over the world for the sake of countering international crime [2].

The system of higher education of Ukraine is changing significantly in accordance with the Commitments that the government of our country took upon itself, entering the path of European integration. Among the consequences of this reform, we can mention, in particular, methodological innovations in teaching and learning foreign languages in institutions of higher education.

There is no doubt that the study of foreign languages was and remains one of the main components of the process of becoming a real specialist. In this aspect, the new European language policy, aimed at the introduction of multilingualism among graduates of higher schools, is worthy of attention. In the modern conditions of development and reform of the domestic sphere of law enforcement, the problem of creating a more perfect system of personnel selection is gaining considerable relevance. One of the directions of its solution can be called a course on the formation of new psychological skills among law enforcement officers, starting with patrol policemen and ending with the management [3].

The modern stage of the history of the Ukrainian police has opened a new chapter in its formation, namely international cooperation in various spheres of the state's functioning, in particular, in the training of highly professional personnel. Continuing and improving international cooperation with various countries, the leadership apparatus of the National Police determines the following ways of training personnel:

1. Creation of opportunities and new conditions for the application of European experience in the field of professional training, including in-depth study of foreign languages;
2. Complete improvement of the educational process, in particular, a new level of learning foreign languages;
3. Carrying out the latest scientific research on the development of law enforcement activities and modern methods of combating transnational crime.
4. During the performance of his duties, a police officer engages in a dialogue with more than one dozen people, therefore, in order to avoid most conflict situations, or to resolve them most effectively, a police officer must adhere to the cultural norms of professional speech. And in this aspect, it is important to highlight such an element as knowledge of a foreign language. After all, knowing it, a police officer can easily communicate with citizens of other states who violate the current legislation of Ukraine, or who are in trouble and need professional help.

Based on the above, it is possible to formulate a number of pedagogical conditions that will contribute to increasing the level of oral communication skills: to provide as rich a linguistic environment as possible in foreign language classes; create a warm, optimistic atmosphere of benevolent support

and belief in success at the class; take into account the individual characteristics of applicants; teach a foreign language on a communicative basis; build the learning process, focusing on the modern achievements of linguistic didactics and linguistic psychology.

Today Ukraine is a tourist country, so a police officer has the duty to protect the rights and freedoms of not only citizens of our country, but also foreigners. A foreigner, when faced with problematic issues, should turn to the Ukrainian police and receive highly qualified assistance, and knowledge of a foreign language in this case is simply a necessary element. That is why the government and the Ministry of Internal Affairs are currently developing new methodological ways of learning a foreign language both for active law enforcement officers and for cadets at the stage of training in higher education institutions. In summary, we can say that knowledge of a foreign language will not only significantly increase the status of a police officer, his self-esteem and professional competence, but will also allow establishing more trusting relationships in the process of communication with foreign tourists, which will also contribute to the formation of a positive image of our state [3].

Thus, reflecting on the question: "Should Ukrainian police officers learn a foreign language?", taking into account all the above-mentioned arguments, the answer seems to be indisputable: "Of course!". However, it is important that foreign language training of specialists continues to develop in our country and finds support from the leadership of the structure of law enforcement agencies. After all, the ability to communicate in a foreign language is today a kind of window into the world, which contributes to the achievement of set goals with the help of new abilities and skills [4].

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Анотація

Вивчення іноземних мов було і залишається однією з основних складових процесу становлення справжнього фахівця. У сучасних умовах розвитку та реформування вітчизняної правоохоронної сфери значної актуальності набуває проблема створення більш досконалої системи добору кадрів. Одним із напрямів її вирішення можна назвати курс на формування мовних навичок у правоохоронців, починаючи з патрульних поліцейських і закінчуючи керівництвом. Також знання іноземної мови не тільки суттєво підвищить статус поліцейського, його самооцінку та професійну компетентність, а й дозволить встановити більш довірчі стосунки в процесі спілкування з іноземцями.

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SOCIAL ENGINEERING ATTACKS AND WAYS OF THEIR PREVENTION

Social engineering has a lot of definitions, covering such a range of activities from password stealing, to scavenging through waste for useful information, to malicious misinformation as to be confusing at best. “Social engineering as a concept has moved from the social sciences and into the armouries of cyber-vandals, who have pretty much set the agenda and, arguably, the definitions” [1, p.2].

Social engineering is a set of methods and means used to obtain confidential information and money. Social engineering began to develop many years ago. Criminals quickly realized that to obtain the necessary data, it is enough to deceive a person, pretend to be someone else, take advantage of his fears or complexes. The previous century such manipulations were carried out by telephone fraudsters, and with the advent of computers, social engineering has completely gone online.

According to Stephen Cobb “social engineering attack is a general term for deceptive practices that attempt to obtain information from people using social, business, or technical discourse. For example, calling a network administrator and misrepresenting yourself to get someone else’s password” [2, p.49].

Once you receive a message from your friend with a pray to transfer money to his card. He assures you to get it back in a few days and later it turns out that the friend’s page was hacked, and the message was sent by a fraudster who wanted to take advantage of the addressee’s trust. Many people faced similar situations, but not everyone is familiar with the term that is the basis of most hacker attacks.

The number of attacks carried out by social hackers is increasing every year. To protect yourself from psychological and sociological attacks, it is necessary to understand how the schemes of attackers' work. Social engineering methods can be varied when attacking inexperienced Internet users. Criminals use such human feelings as inattention, curiosity, greed and gullibility, "play" on character qualities of the interlocutor or lack of professional knowledge. Some of the most common types of social engineering are mentioned above.

Phishing is one of the main methods of social engineering which uses mass Internet mailing on behalf of well-known organizations. Scammers send emails asking users to click on a link to a fake site and provide their personal information such as a password or bank card number.

A Trojan horse is a method in which a malicious program enters a victim's computer through emails containing lures such as the promise of additional income or winnings. When downloading such a program, the user infects his device with a virus that collects or changes information.

Qui pro quo is the method in which a criminal calls a user, posing as a technical support employee and reports problems with the software. He tries to convince a gullible person to follow his instructions, thereby providing access to important information.

Pretexting is a method in which a social hacker pretends to be a known person to obtain the desired data. Criminals call citizens, posing as employees of financial organizations or call centers, and try to create trust by providing information about the interlocutor or about the projects he works with. They can also ask to transfer funds to the specified account.

Reverse social engineering is the method in which a victim independently contacts the fraudsters. Criminals can advertise their services or install malware so that users turn to them for problem solving. It gives criminals access to user's data.

Introduction of special software is the method in which criminals install a program that initially works without problems but encounters problems over time. Fraudsters provide instructions to users that lead to the disclosure of their data. When the information is leaked, the perpetrators remain unsuspected because the victims think they were just helping.

Advertising is the method used by fraudsters who advertise their services, creating a situation where users themselves turn to them. Under the guise of repairing or restoring Windows, criminals can install malware or gain access to sensitive information. Criminals can also use psychological methods to obtain the necessary data in the process of communication.

To protect yourself from fraudsters, you need to pay attention to the address of the sender of the letter and the sites on which you intend to leave personal data. Do not work with important data in the presence of strangers. Fraudsters can take advantage of this situation to learn passwords or obtain other important information. Curiosity is a feeling that can cloud clear

thinking when we open unfamiliar emails or go to dubious websites. Therefore, social engineering is an important phenomenon that can and should be resisted if you follow simple rules and be careful.

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Анотація

У тезах розглянуто питання соціальної інженерії як невід'ємної частини кібершахрайв та як здійснюються атаки із використанням соціальної інженерії. Розглянуто ознаки, які допоможуть ідентифікувати такі атаки та визначено способи захисту від атак з використанням соціальної інженерії.

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PROTECTION OF CONSTITUTIONAL HUMAN RIGHTS IN THE ACTIVITIES OF THE STATE EMERGENCY SERVICE IN CONDITIONS OF MARTIAL LAW

After February 24, 2022, when the armed aggression of the Russian Federation against Ukraine became full-scale (and actually began on February 20, 2014), legal guarantees for the protection of human rights were under threat. The invasion of the Russian army into the territory of Ukraine became the reason for the introduction of martial law by the President of Ukraine. New realities have endangered basic human rights, including the right to life. The rules that have been formed for centuries in the civilized world are ceasing to exist. Together with the Armed Forces of Ukraine, rescuers of the State Emergency Service are also holding the front. Since the beginning of the war, they heroically tried to save the lives of Ukrainians, sometimes at the cost of their own lives. These are unarmed soldiers who are the first to arrive at the places where Russian rockets were hit. They often have to go to the epicenter of destruction

under the threat of new shelling, because millions of lives depend on every second.

In the conditions of war, employees of the State Emergency Service work around the clock: extinguish fires, dismantle rubble, conduct search operations, destroy unexploded artillery ammunition, evacuate the civilian population. Human rights guaranteed by the Constitution of Ukraine are inviolable. Human rights represent certain possibilities of a person, necessary for his existence, and should be equal for all people. The realization of human rights by an individual has the main goal of "ensuring one's normal existence, development, satisfaction of needs." The principles on which the institute of human and citizen rights and freedoms is based: inviolability of human rights and freedoms (Article 21 of the Constitution of Ukraine); recognition of all people as free and equal in their dignity and rights (Article 24 of the Constitution of Ukraine); inexhaustible of the rights and freedoms of a person and a citizen (Article 22 of the Constitution); guarantee of rights and freedoms by the state (Article 3 of the Constitution of Ukraine) [1].

The State Service of Ukraine for Emergency Situations (SES) is the central body of the executive power, the State Emergency Service is governed by the Constitution and laws of Ukraine, decrees of the President of Ukraine and resolutions of the Verkhovna Rada of Ukraine adopted in accordance with the Constitution and laws of Ukraine, acts of the Cabinet of Ministers of Ukraine, and other acts of legislation.

The main tasks of the State Emergency Service are:

1) implementation of state policy in the field of civil protection, protection of the population and territories from emergency situations, prevention of their occurrence, liquidation of the consequences of emergency situations, rescue work, fire extinguishing, fire and man-made safety, activities of emergency and rescue services;

2) implementation of state supervision (control) over compliance with and fulfillment of the requirements of legislation in the field of civil protection, fire and man-made safety, activities of emergency and rescue services;

3) implementation of state policy in the field of volunteering within the limits of the powers provided for by law.

Human rights in martial law are particularly vulnerable, and their protection can be difficult. From the Constitution of Ukraine to the relevant laws of Ukraine, a mechanism is provided to limit the exercise of certain rights. Special attention in the protection of human rights is concentrated in the hands of the state in the form of state authorities authorized by the Constitution and laws.

Література:

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Анотація

Після 24 лютого 2022 року, коли збройна агресія російської федерації проти України набула повномасштабного характеру (фактично почалася 20 лютого 2014 року), правові гарантії захисту прав людини опинилися під загрозою. Вторгнення російської армії на територію України стало приводом для введення президентом України воєнного стану. Нові реалії поставили під загрозу основні права людини, зокрема право на життя.

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INTERACTION OF LAW ENFORCEMENT STRUCTURES IN EUROPE: PROBLEMS AND PERSPECTIVES

Law enforcement structures in Europe have faced new challenges and threats in the conditions of globalization, migration, terrorism, cybercrime and other factors that affect the security and stability of the region. To effectively counter these phenomena, close and fruitful interaction of law enforcement agencies of different countries, as well as international organizations dealing with security and justice issues, is necessary. The European Union (EU) is one of the main subjects of police cooperation in Europe, which develops and implements a common security and defense policy (CSDP), and also provides legal and institutional mechanisms for coordination and support of the activities of law enforcement agencies of its member states and partners. However, police cooperation in Europe has a number of problems and limitations, related to the difference in national legislation, standards, procedures, competencies, resources, cultures and interests of law enforcement structures of different countries, as well as the insufficient level of trust, cooperation and information exchange between them [1].

Police cooperation in Europe is based on a number of international treaties and agreements that regulate the legal and organizational aspects of joint activities of law enforcement agencies. Among them one can distinguish the Convention on the Establishment of a European Police Office (Europol), the Convention on Mutual Legal Assistance in Criminal Matters, the Convention on Mutual Recognition of Judicial Decisions in Criminal Matters, the Convention on the Fight against Terrorism, the Convention on Cybercrime, the Convention on Preventing and Combating Violence against Women and Domestic Violence, as well as a number of other documents that relate to specific types of crime and ways of combating them. These treaties and agreements define the legal obligations and responsibilities of the parties,

as well as establish the procedures and forms of interaction of law enforcement agencies, such as requests, deliveries, extraditions, joint investigations, information exchange, training, consultations, etc. [2].

In addition, police cooperation in Europe is carried out with the help of specialized international organizations and agencies that provide operational, analytical, technical and financial support to law enforcement agencies of different countries. Among them, one can name the European Police Office (Europol), the European Border and Coast Guard Agency (Frontex), the European Agency for the Management of Cooperation at the Internal Borders (Eurojust), the European Agency for Justice (Eurojust), the European Agency for Law Enforcement Training (CEPOL), the European Agency for Fundamental Rights (FRA), as well as Interpol, the Organization for Security and Cooperation in Europe (OSCE), the Council of Europe and others. These organizations and agencies provide coordination, monitoring, evaluation, recommendations, standards, databases, communication channels, expert assistance, training, exchange of experience, scientific research and innovation [3].

Police cooperation in Europe also depends on the level of political will and trust between the participating countries, which have different national interests, priorities, values and attitudes to security and human rights issues. Despite the existence of common threats and challenges, not all European countries are ready for full integration and harmonization of their law enforcement systems, as well as for renouncing part of their sovereignty and national control over their law enforcement agencies. This leads to the emergence of conflicts, contradictions, duplication, gaps and inefficiency in police cooperation in Europe, as well as to the violation of the rights and freedoms of citizens, who become victims or objects of law enforcement activities [4].

Police cooperation in Europe is an important tool for ensuring security and stability in the region, which faces numerous and complex challenges and threats. The European Union plays a leading role in shaping and developing police cooperation in Europe, providing legal and institutional foundations, as well as practical support to law enforcement agencies of its member states and partners. However, police cooperation in Europe has a number of problems and limitations, which require further improvement and optimization. For this, it is necessary to increase the level of trust, cooperation and information exchange between law enforcement agencies of different countries, as well as to ensure compliance with the rights and freedoms of citizens, who should be protected, not harmed by police cooperation in Europe.

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Анотація

У тезах зазначені основи поліцейської співпраці в Європі, які ґрунтуються на міжнародних договорах та угодах і визначають правові та організаційні аспекти спільної діяльності правоохоронних органів. Автор наводить приклади таких документів, а також спеціалізованих міжнародних організацій та агентств, що надають підтримку правоохоронним органам різних країн. Також автор аналізує фактори політичної волі та довіри між учасниками поліцейської співпраці, а також їх наслідки для ефективності та дотримання прав і свобод громадян.

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FEATURES OF COMBATING CORRUPTION CRIMES DURING MARITAL LAW

Combating crimes is one of the main aspects of law enforcement agencies, and during the legal regime of martial law this process acquires certain features, the legislation is subject to changes, and certain processes are subject to complete reformation. Corruption is one of the most harmful parasites against the background of modern Ukraine, and right now, in the conditions of armed aggression, the damage from corruption crimes is simply colossal. Therefore, a corruption offense is an act containing signs of corruption, for which criminal, disciplinary and/or civil liability is established by law.

According to the Law of Ukraine "On the Legal Regime of Martial Law", martial law is a special legal regime introduced in Ukraine or in some of its localities in the event of armed aggression or threat of attack, danger to the state independence of Ukraine, its territorial integrity. It provides special powers to appropriate state authorities, military command, military administrations and local self-government bodies, necessary to avert the threat, repulse armed aggression and ensure national security, eliminate the threat of danger to the state independence of Ukraine, its territorial integrity,

as well as the temporary restriction of constitutional rights and human freedoms caused by the threat [2].

A separate draft law proposed to recognize illegal enrichment during martial law as treason and classify it as a particularly serious crime. The changes relate to the article of the Criminal Code of Ukraine on treason, the draft law proposes to supplement Article 111 "Treason", paragraph 3 with the following content:

During the period of martial law and within one year after its termination or cancellation, illegal enrichment - acquisition by a person authorized to perform the functions of the state or local self-government, assets whose value exceeds their legal value by more than six thousand five hundred tax-free minimum incomes of citizens, is treason; it is punishable by imprisonment for a term of up to fifteen years or life imprisonment, with confiscation of property and deprivation of the right to hold certain positions or be engaged in certain activities [3].

The position was also put forward that sanctions for corrupt acts during the war should correspond to sanctions for cooperation with the enemy. Regarding the specifics of the normative regulation of the preventing abuse of office during the war, it should be noted first of all about the event of August 3, 2022, when the Law of Ukraine "On Amendments to the Law of Ukraine "On Prevention of Corruption" regarding the specifics of the application of legislation in the field of corruption prevention in martial law» from 07/08/2022 came into force. This law cancels the existing restrictions on the conformity of gifts with generally accepted notions of hospitality and restrictions on the value of gifts for persons authorized to perform the functions of the state or local self-government, and establishes the possibility for such persons to accept gifts without limiting their value, if they use the funds for them or the gifts themselves for the needs of the Armed Forces or humanitarian aid to victims of the aggression of the Russian Federation against Ukraine. Along with this, the system of anti-corruption infrastructure bodies adapted its powers in relation to military realities in parallel, thereby ensuring the effectiveness of law enforcement activities in countering, including abuse of office. Regarding financial control in this part, the legislator gave these persons the opportunity not to indicate information about such gifts in income declarations and not to submit notifications about significant changes in property status. Important legislative novellas of criminal law content should also be noted [4].

In particular, at the end of March 2022, a new rule appeared in the Criminal Code, which establishes responsibility for official abuse in the field of illegal use for the purpose of obtaining profit from humanitarian aid, charitable donations or free aid. Therefore, in the conditions of martial law, regulatory support and effective legal regulation of preventing and countering all forms of official abuse as a separate direction of modern criminal law policy are necessary [1].

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Анотація

Автор розглядає проблему боротьби з корупційними злочинами в Україні. Особливої актуальності ця проблема набуває в умовах воєнного стану. Необхідно зробити жорсткішими міри щодо зловживань, пов'язаних з гуманітарною допомогою, благодійністю та розподілом коштів.

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PERSONALITY'S MENTAL HEALTH IN THE CONDITIONS OF WAR

The problem of studying the psychological consequences of war is one of the significant ones in the process of analyzing the negative impact of war on various spheres of people's life, along with the death and maiming of people, the destruction of critical infrastructure buildings, the destruction of the housing stock, environmental disasters, the creation of artificial hunger, etc. [2].

Mental health of the individual in the conditions of war is a complex and important topic. Military conflicts can have a serious impact on the mental health of people, whether they are combatants or civilians caught in a conflict zone. Some key aspects to consider when researching this topic include:

Injuries and stress (War events can cause physical and psychological trauma. Stressful situations that arise as a result of threats to life, loss of loved

ones, destruction of the environment can lead to the development of post-traumatic stress disorder (PTSD) and other mental problems.)

Lack of security and constant stress (The volatile conditions of war create constant stress that can lead to a decline in mental well-being. Lack of security and constant fear can affect emotional state and mental health.)

Losses and mourning (Loss of loved ones, destruction of property and loss of stability can cause deep mourning and difficult mental states.)

Social isolation (In the conditions of war, people can lose contact with society, be separated from family and friends. This can lead to feelings of loneliness and loss of support, which are important for mental health.)

Psychological assistance and rehabilitation (An important part of mental health management in wartime is the provision of psychological care and rehabilitation for those who have been injured or destabilized.)

Support systems and public participation (The development of support systems and the opportunity to participate in public initiatives can contribute to the recovery of the mental health of communities.)

The provision of psychological care and the creation of conditions for the recovery of mental health are important in order to help people who have survived war to regain stability and well-being [1].

Mental health can be affected by the duration of war events. Prolonged conflicts can lead to chronic stress, which impairs mental well-being. All armed conflicts which children see with their own eyes affect their mental health [3]. Injuries, stress and loss of loved ones can affect their emotional and social development. Therefore, providing informational support can help people understand the situation more easily and avoid panic. Providing informational support can include not only providing objective information about the situation, but also explaining the importance of emotional expression, seeking support from adults and providing playful and creative methods for expressing emotions [4]. This can help children better understand and manage their emotions during difficult times.

Another fact is diplomatic efforts to resolve conflicts, which can reduce the pressure on the mental ill-will of the population. It is important to remember that mental health support in the context of war must be comprehensive and focused on the specific needs of communities [1]. Communities, organizations and governments can work together to create a system that provides assistance and promotes mental health recovery in war.

To avoid stress and mental disorder, the following actions can be taken: cultural communities can find support in their practices, those returning home after military service or survivors of occupation, combat operations in their region should receive psychological and social help to restore normal life, education can help de-stigmatize and promote active recovery, cooperation between different sectors of society [3].

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Анотація

Проблема вивчення психологічних наслідків війни є однією із значущих у процесі аналізу негативного впливу війни на різні сфери життя людей, поряд із загибеллю та каліцтвом людей, руйнуванням об'єктів критичної інфраструктури, руйнуванням житлового фонду, екологічні катастрофи, створення штучного голоду. Надання інформаційної підтримки може включати не лише надання об'єктивної інформації про ситуацію, але й роз'яснення важливості емоційного вираження, пошук підтримки дорослих та надання ігрових та творчих методів вираження емоцій.

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THE EFFECT OF MARTIAL LAW CONDITIONS ON THE ACTIVITIES OF THE NATIONAL POLICE

In the conditions of martial law, almost all state institutions undergo changes in powers, competences, rights and obligations, orders and procedures.

The National Police is no exception. A significant number of changes have been made to the normative legal acts that regulate its activities, which regulate the functioning of this body during the period of martial law.

Article 8 of the Law of Ukraine "On the National Police" is supplemented by part four, which stipulates that during martial law, the police

act in accordance with the purpose and specifics of their activities, taking into account those restrictions on the rights and freedoms of citizens, as well as the rights and legitimate interests of legal entities, which are determined in accordance with the Constitution of Ukraine and the Law of Ukraine "On the Legal Regime of Martial Law" [1].

In general, during the period of martial law, nine laws of Ukraine were adopted, which related in particular to the National Police, including:

1) The Law of Ukraine "On Amendments to the Laws of Ukraine "On the National Police" and "On the Disciplinary Statute of the National Police of Ukraine" for the purpose of optimizing police activities, including during martial law" - is temporarily in effect for the period of the introduction of martial law in Ukraine state, implementation of measures to ensure national security and defense, repel and deter armed aggression of the Russian Federation and/or other states against Ukraine and 60 days after that;

2) Law of Ukraine "On Amendments to the Law of Ukraine "On the Legal Status of Missing Persons" and other legislative acts of Ukraine regarding the improvement of legal regulation of social relations related to the acquisition of the status of persons missing under special circumstances";

3) Law of Ukraine "On Amendments to Certain Laws of Ukraine Regarding Assignment of Special Police Ranks During Martial Law";

4) Law of Ukraine "On state registration of human genomic information";

5) Law of Ukraine "On Amendments to Certain Laws of Ukraine Regarding Improvement of the System of Emergency Assistance to the Population Using the Unified Telephone Number 112";

6) Law of Ukraine "On Amendments to the Code of Ukraine on Administrative Offenses, the Criminal Code of Ukraine and other laws of Ukraine regarding the regulation of certain issues of the National Police of Ukraine during martial law";

7) Law of Ukraine "On amendments to some legislative acts of Ukraine regarding the use of unmanned aerial vehicles by law enforcement agencies and countering their illegal use", etc.

Above all, the above-mentioned legal acts:

A) among the main powers of the police, the following powers were introduced:

- provision of information to the Commissioner for Missing Persons under Special Circumstances about the progress of the pre-trial investigation, taking measures to search for persons missing under special circumstances, to enter data into the Unified Register of Persons Missing under Special Circumstances [2];

- taking measures to identify persons who are unable to provide information about themselves due to health, age or other circumstances; identification of an unidentified corpse; carrying out the selection of

biological material of individuals and establishing its genetic characteristics (genomic information) in cases provided for by legislation [3];

- implementation of emergency communication by phone number 102, processing and use of information provided to the police by providers of electronic communication networks and/or services in the cases and in the manner provided for by the Law of Ukraine "On Electronic Communications"[4];

- use of aircraft, unmanned aircraft, vehicles moving on the surface of water or under it, including remotely controlled ones;

- taking measures to prevent, detect and stop violations of the order and rules of use of the airspace of Ukraine by operators of unmanned aircraft over a specified territory or object with a special regime or over the place of special police control, conducting operations to stop the offense [5].

B) Provision was made for the possibility of applying to the police promotion in the form of early assignment of another special rank without observing the terms specified in the fifth part of Article 84 to lieutenant colonel of the police, including the head of the National Police of Ukraine, and the special rank of police colonel to the head of the National Police of Ukraine in agreement with the Minister of Internal Affairs of Ukraine [6].

C) Provided for the onset of criminal, administrative, civil, material and disciplinary liability in accordance with the law, as well as taking into account the combat immunity defined by the Law of Ukraine "On the Defense of Ukraine" in the event of committing illegal acts and administrative or criminal liability in accordance with the law in the event the commission of military administrative or military criminal offenses by police officers of the special purpose police, who are involved in direct participation in hostilities during martial law [7].

D) Strengthened social protection of police officers and their family members. Policemen captured or hostages, as well as those interned in neutral countries or missing under special circumstances - keeping payments in the amount of the official salary at the last place of service, salary for a special rank, allowances for years of service, other monthly additional types of permanent monetary support and other types of financial support. The families of such police officers are paid monthly financial support, including additional and other types of financial support, in accordance with the procedure determined by the Minister of Internal Affairs of Ukraine.

Financial support is paid to the following members of the policeman's family: the wife (husband), and in case of her (his) absence - to adult children who live with the policeman, or legal representatives (guardians, custodians) or adopters of minor children (persons with disabilities since childhood - regardless of their age) of the police officer, as well as to the dependents of the police officer, or to the parents of the police officer in equal shares, if the police officer is not married and has no children.

Payment of financial support to the family members of a police officer is carried out until the circumstances of the police officer's capture or hostage, internment or release, or the recognition of the police officer as missing or declared dead in accordance with the procedure established by law, are fully clarified.

In the case of indexation of financial support, including additional and other types of financial support for police officers, financial support for family members of police officers captured or held hostage, interned in neutral states or missing under special circumstances, as well as recognized as missing or declared dead in the established according to the law of procedure, is paid taking into account such indexation from the date of adoption of the decision to carry out such indexation. The procedure and conditions for calculating the amount of financial support, including additional and other types of financial support for police officers, are established by the Cabinet of Ministers of Ukraine. The said Law does not apply to police officers who voluntarily surrendered or voluntarily left their place of duty [8].

As can be seen from the above, the conditions of martial law have significantly optimized the activities of the police, affecting: the expansion of basic and additional powers to inform and search for persons who have gone missing under special circumstances, the use of unmanned aircraft and other means of transport, etc.; strengthening of social protection of police officers and their family members; predicting the onset of criminal, administrative, civil, material and disciplinary liability in the event of illegal acts and administrative or criminal liability in the event of military administrative or military criminal offenses by police officers of the special purpose police.

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Анотація

У разі індексації грошового забезпечення, у тому числі додаткового та інших видів грошового забезпечення поліцейських, грошового забезпечення членам сімей поліцейських, захоплених або утримуваних у заручниках, інтернованих у нейтральних державах або пропавших безвісти за особливих обставин, а також визнаних безвісно відсутніми або оголошених померлими у встановленому законом порядку виплачується з урахуванням такої індексації з дня прийняття рішення про проведення такої індексації.

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THE PROBLEM OF INTERACTION BETWEEN LAW ENFORCEMENT AGENCIES AND THE PUBLIC IN THE FIELD OF PUBLIC ORDER

Each of us can get into a situation where he will need help both at the household and state levels. Here are various services, departments, and organizations to ensure the normal life flow in our country. One of them is the police. The Law of Ukraine "On the National Police of Ukraine" clearly

defines the police's principles. One of such tenets is "Interaction with the population based on the partnership." According to this provision:

- carrying out police activities in close cooperation and interaction with the population, local communities, and civil society institutions to address their needs;

- efficiency is determined based on the level of public confidence in the police". The concept of interaction between the police and society is the basis of police activity. This concept is a new policing strategy: "the police work for the people and their safety, which changes the practice of policing, provides a plan for more effective and efficient achievement of its goals" [2].

The attitude to the police, as practice shows, is very ambiguous because, unfortunately, in society, you can still see outdated views on this law enforcement agency. Perhaps it is the influence of the older generation that grew up on the system at the time. It is normal when people got into unpleasant situations related to the police. The fact of imposing public opinion, which undermines public confidence in law enforcement, should not be ruled out. However, trust is an integral part of the relationship between society and the police on a partnership basis. Why is this so important, and what are the problems? First, policing is about fighting crime, maintaining law and order, and providing police services to society to maintain an adequate security level.

A police officer's main task is to help in any of its manifestations; it can be both prevention of threats to life or health of citizens and elimination of existing ones. This task requires the support and public understanding of the importance and complexity of this type of activity. In our daily lives, we often encounter criticism, dissatisfaction, and all kinds of provocations towards the police in general and the police officer in particular. However, having no idea what a troublesome and dangerous profession it is. Nowadays, with the spread of information technology, you can find more and more videos and photos on the Internet, which, unfortunately, cover the situation only from one side, which undermines the police's authority. Second, there must be patience on law enforcement agencies, to some extent self-sacrifice and impartiality. The police's primary purpose is to increase its authority among the public and public confidence, constant improvement of their knowledge of the legal framework, speech skills, and moral stability training. In general, forming public opinion, its importance in law enforcement agencies' activities, as a rule, depends on adequately organized work, taking into account the people's attitude. "Forming a public opinion about law enforcement agencies' activities is necessary to make it meaningful; it must become capable of achieving the planned goals" [3].

The police should involve the local population's participation in strengthening security and public order, solving crime problems in residence, and avoiding hostilities, misunderstandings, and conflicts. Such policy will unite the population and unite the people and unite them to ensure an everyday life in a particular area. The relationship between the police and the people

must be based on the principles of openness and transparency. Informing the public about their activities, participation in joint projects, and personal meetings will increase trust level. In my opinion, the promotion of legal knowledge is significant because a truly traditional society that knows its rights and responsibilities is something that every citizen should strive for. Thus, the public and the police's interaction is a strategy, the skillful application of which will lead to harmony in society, the ordinary course of life. It is important to remember that the population is a police partner and a full participant in activities to improve the police's work.

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Анотація

Стаття має на меті розглянути деякі проблеми, пов'язані з правоохоронними органами та взаємодією суспільства у громадському порядку, висвітлити можливі шляхи їх подолання та значення цієї проблеми для суспільства. У сучасному суспільстві вже існує усталена модель поведінки поліцейського, але ми завжди повинні прагнути до вдосконалення. У свою чергу, це вдосконалення допоможе зменшити рівень злочинності, підвищить довіру громадськості та значно полегшить роботу правоохоронних органів.

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CRIME PREVENTION IN WAR AND PEACE TIMES

Ukraine is my motherland and I can make sure that is very hard to every law enforcement officer to work in active war conditions. Especially in Kharkiv, Dnipro, Donetsk regions. Where people already used to constant rocket attacks from russian side. But everyone stands strong and it motivates.

And I would like to pay a great respect for those men and women who left their lives for our peace and independence and also for those guys who still on service protecting law and order on every piece of independent Ukrainian land. But not only motivation can rule all this system. It requires great efforts to combat crimes in such difficult times, when criminal rate only increases. It also requires more cash flows and staff. Beating crime isn't cheap work nowadays. So a lot of work must be done.

Nowadays due to war we faced a great problem of illegal gun caring caused by order of our president hand out firearms to civilians in order to repel Russian invention. So a great amount of people took guns and didn't return them by order. Another great source of illegal weapons are former occupied territories and battlefields. Russian soldiers just left their firearms and ammunition so civilians can take them. Illegal gun-carrying, a precursor to gun violence. According to statistics, the percentage of homicides involving firearms has increased over time of war. Law enforcement focuses on the highest risk people in the highest risk places. Police agencies should ensure that aggressive enforcement is precise and limited to those most closely associated with gun violence. Our justice system must not allow impunity for gun offences. The carrying of an illegal firearm is a felony and should be treated properly. Focusing on "someday" and "would-be" shooters before they commit a violent crime is much different than appropriately responding to predatory, serial shooters with stiff penalties. [3]

The police care about young people and would always prefer to prevent crime rather than have to detect it as this means something has happened to someone. [1] And also it's much cheaper for our government to spend money on prevention methods rather on their solution and investigation. The main modern tool of crimes prevention is criminal strategy analyzing. The term defines crime analysis as all types of analysis performed within a police agency, with the exception of evidence analysis (e.g., DNA, stolen property), human resources related administrative analysis. [2] The primary purpose of crime analysis is to support (assist) the operations of a police department. [2] These functions include criminal investigation, apprehension, and prosecution; patrol activities; crime prevention and reduction strategies; problem solving; and the evaluation and accountability of police efforts. Without police agencies, crime analysis would not exist. Although general, the definition encompasses a wide range of activities in which crime analysts assist police agencies. [2]

As for me most valuable aspect of cooperation between analysts and police is proactive policing. It's more about preventing crime, than reacting to it. Police must anticipate crime and disorder before it happens using a detailed problem analysis to pinpoint crime patterns and the surprisingly small network of people and places responsible for most violence. [3] They may use information from all overt and covered sources such as open data, social networks, calls to 102- hotline etc. Proactive policing embraces several

different strategies, but the most widely implemented and evaluated are hot spots policing – which focuses patrols on the micro-locations where crime concentrates – and problem-oriented policing. All these measures require new police reformation. [1] Police agencies are bureaucracies, and changes can be made and sustained with difficulties. Proactive policing is only the tip of the iceberg of possibilities which criminal analyzing can give to law enforcement agencies. I gather most valuable points about it. First one is for criminal investigators and prosecutors. It helps conduct criminal investigations successfully. The analytical function develops a variety of intelligence products to assist investigators in detecting, preventing, and responding to criminal and terrorist activities. Analytical personnel initiate inquiries, conduct information searches, and act as points of contact for information gathered. Personnel assigned to the analytical function develop summary tables, charts, maps, and other graphics for use in a grand jury or trial. Analysts provide factual and expert testimony and organize evidence for presentation in court. Also the analytical function provides support to tactical and strategic operations. Personnel analyze crime reports, identify crime hot spots, develop crime bulletins and summaries, study serial crime data, and forecast possible crime. The analytical function develops proactive intelligence products that assess the potential threats of crime groups or criminal activities and recommends methods to intervene in these threats. Another point is about organization. By maximizing the analytical function, the chief executive can obtain important information and intelligence to possibly prevent future criminal activities. Personnel can prepare materials to assist in allocating resources; developing budget and resource requests; and preparing departmental reports, investigative briefings, and press releases. [2]

In conclusion, this topic sheds light on the formidable challenges faced by law enforcement officers in Ukraine, notably in the conflict-ridden regions of Kharkiv, Dnipro, Luhansk and Donetsk. The constant threat of rocket attacks from the Russian side adds a layer of complexity to their already demanding acts. Nevertheless, the unwavering dedication of Ukrainian officers to protect our motherland showcases a resilient spirit worthy of respect. I extend my utmost admiration for those who have sacrificed their lives for peace and independence, as well as for those currently in service, valiantly upholding our values.

In the context of trust, a critical aspect in any free and safe society, the topic draws attention to the fact that in communities most affected by violent crime, trust in law enforcement is low. My narrative emphasizes the urgency for comprehensive police reformation, recognizing the pivotal role of proactive policing and crime analysis in the hard terrain of law enforcement during times of war. Trust, resilience, and change in law enforcement are intertwined elements that contribute to the creation of a society where citizens willingly collaborate with their government for the common goal of a free and safe community.

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Анотація

У цій роботі висвітлюються актуальні проблеми превентивної поліцейської діяльності, яка здійснюється в умовах військового вторгнення, а також актуальні напрямки розвитку нових діючих методів та програм їх удосконалення. Міжнародний досвід партнерів у сфері запобігання вчинення тяжких злочинів, пов'язаних із незаконним обігом зброї, та насильницьких посягань шляхом застосування такої зброї розглядається в роботі.

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VECTOR OF ACTIVITIES OF THE NATIONAL POLICE OF UKRAINE IN ENSURING THE SAFETY OF CITIZENS IN THE CONDITIONS OF MILITARY CONFLICT

In today's world, solving and guaranteeing human rights and freedoms is a high priority and social value for most European countries. Special attention is paid to improving the work of one of the main law enforcement agency of Ukraine - the National Police, as this agency is responsible for ensuring the priority of the rights and freedoms of all citizens based on the principles of legality, order and the rule of law.

The main principles of the National Police are determined by the Law of Ukraine "On the National Police" [1] and the Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Regulations on the National Police" [2]. The specified documents establish the status of the National Police of Ukraine as the central body of executive power, which performs the functions of ensuring human rights and freedoms, countering crime, ensuring public safety and order.

With the beginning of the full-scale invasion of the Russian Federation on the territory of Ukraine in 2022, special attention was paid to defining the conceptual foundations, powers and capabilities of the National Police. Strategic priorities for the development of human rights bodies as a component of national security are also defined, including: creation of a safe environment; fight against crime; guaranteeing human rights; effective state border management and balanced migration policy; ensuring the quality and availability of administrative services; effective management, transparency and accountability; development of personnel potential and social protection of employees.

Thus, the National Police includes many units that operate to meet the needs of various segments of the population and social structures in legal protection and security.

The specified innovations in the legislation determine that during the introduction of martial law, the National Police of Ukraine acts in accordance with its mission and specifics, taking into account restrictions on the rights and freedoms of citizens, as well as the rights and legal interests of legal entities, determined in accordance with the Constitution of Ukraine and the Law of Ukraine «About the legal regime of martial law» [3]. It is important to note that the introduction of martial law serves as a legal basis for strengthening necessary and legal security measures, so the introduction of such restrictions in no way determines the removal of procedures defined by law or exemption from the obligation of police officers to comply with the requirements of the law.

With the beginning of a full-scale war, policemen together with the military protect different directions of the front in Ukraine. In addition, police officers are active in the de-occupied territories, where they face unique challenges. Among the tasks entrusted to the police in these conditions, it is possible to single out the recording and qualification of war crimes, the investigation of war crimes in the conditions of active hostilities, the demining of territories and buildings, the protection of public order and the provision of public safety, the detection of cases of illegal actions against children, the use of modern information technologies and means of information protection [4, p. 18]. In addition, special attention should be paid to work with the population, especially those who find themselves in the conflict zone. The National Police should provide assistance and protect people's rights, evacuate the population from dangerous areas, and carry out preventive work among citizens to prevent possible incidents.

This is only part of the tasks that the units of the National Police in Ukraine solve. The current work of the police is aimed at carrying out stabilization measures and reducing the number of criminal and other violations on the territory of Ukraine, and this requires maximum efforts to prevent violations and the commission of offenses. In the conditions of a military conflict, the vector of activity of the National Police of Ukraine

should be aimed at the highest level of security of citizens, which requires not only professionalism and high mobility on the part of law enforcement officers, but also close cooperation with the military, international partners and the public. Yes, under the condition of a comprehensive and cohesive approach, it is possible to ensure stability and security on the territory of the country.

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Анотація

У тезах доповіді розглядається насамперед вектор діяльності органів Національної поліції України в умовах воєнного конфлікту, зосереджуючись на їхніх завданнях та стратегічних пріоритетах. Висвітлюються основні засади адміністративно-правового статусу Національної поліції, враховуючи законодавчі акти, які регулюють її діяльність. Зокрема, розглядаються інновації у законодавстві, які визначають повноваження поліції під час введення воєнного стану.

Тези висвітлюють різноманітні напрями діяльності Національної поліції під час воєнного конфлікту, також зазначається активна участь поліції на деокупованих територіях та вирішення унікальних завдань, що виникають у зв'язку з веденням воєнних дій.

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TACTICS OF LAW ENFORCEMENT OFFICERS DURING FIRE CONTACT WITH SOCIALLY DANGEROUS PERSONS IN POPULATED AREAS

Employees of the National Police of Ukraine perform important tasks in ensuring public safety and order, protecting human rights and freedoms, as

well as protecting the interests of society and the state, and this is especially important in the context of hostilities in the East of Ukraine. Successful performance of these tasks requires not only high professional training, but also specialised knowledge, developed psychological and physical qualities, as well as motor skills. In particular, in a confrontation with armed and aggressive individuals, the success of the encounter will be determined by the psychological readiness to use police coercive measures.

An important component of such readiness is the developed skills and abilities to handle weapons, choose a shelter for shooting, tactically correct actions during movement and accurate shooting. The professional level of personnel is determined by their ability to respond effectively to high-risk situations, including systematic armed attacks on law enforcement officials.

The analysis of the events in eastern Ukraine shows the need to address the problems that arise in the conduct of special operations by law enforcement agencies. A low level of professionalism, lack of attentiveness and compliance with personal safety rules can lead to difficulties in performing tasks. Overcoming these problems requires a systematic approach to education and training of employees, as well as improvement of technical and tactical support [1, p. 53].

A detailed analysis of armed conflict situations allows us to identify key aspects of tactical training of law enforcement officers, especially in populated areas. The list of tactical actions during special events includes choosing a shelter for shooting, firing at multiple targets, a sudden collision with a group of socially dangerous persons, actions when under sudden fire, going around a building, working in an unlit room and the specifics of using firearms. One of the key tactical features is the choice of shelter for shooting. According to the "left hand rule" (or "left-hand rule"), it is important that the cover is to the left of the law enforcement officer, covering the torso and most of the head. This ensures that the officer can fire comfortably and effectively when moving and turning to the left. Choosing cover on the right may be inconvenient for right-handed officers, as they must fire with the left hand and, if the weapon is held with the right hand, most of the torso and head are exposed.

Another important tactical action is to fire at multiple targets. In this case, it is recommended to open fire on the rightmost object, turning to the left while firing. In the case of a group of socially dangerous persons moving in a frontal fashion, it is a priority to hit the extreme person who closes the group, followed by a transition to other targets. This strategic decision allows to hit several targets before organised resistance begins and prevents the possibility of a quick reaction from the offenders. Thus, tactical training of law enforcement officers in populated areas includes careful selection of a shelter for shooting and effective fire on several targets, taking into account the peculiarities of movement and actions of socially dangerous persons [2, p. 600].

When firing a submachine gun or machine gun, it should be borne in mind that complete emptying of the magazine may not be possible. In case of partial emptying of the magazine during combat and a pause, it is important to replace the magazine and leave the partially used magazine in reserve. To save time during reloading and to avoid slide jams, it is recommended to insert three tracer rounds before loading the magazine.

When firing, seeing a tracer round flying by allows you to quickly determine the number of rounds remaining in the magazine. This allows you to fire one more round before changing the magazine without having to re-cock the bolt.

An empty magazine can be left on the ground or in a pouch, and in the case of close combat; it can be used to simulate throwing a grenade or throwing it at the enemy.

When entering a room left by the enemy, care should be taken as there is a risk of mining (presence of tripwires). It is recommended to open doors using a long stick or rope with a minimum length of ten metres to ensure personal safety. It should also be borne in mind that objects in the room may be mined [3, p. 104].

During the "clearing" of the premises, the actions of each member of the group should be clearly defined and tactical roles should be discussed in advance. Training of law enforcement officers includes rehearsing different tactical scenarios, as they should have the skills to perform different roles in case of replacing a wounded comrade or the need to change the tactical approach.

In general, increasing the level of preparedness of law enforcement officers involves practicing various tactical actions to effectively confront armed and aggressive socially dangerous individuals.

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Анотація

Працівники Національної поліції України виконують важливі завдання у забезпеченні публічної безпеки та порядку, охороні прав і свобод людини, а також захисті інтересів суспільства і держави, а особливо це набуває актуальності в умовах ведення бойових дій на Сході України. Для успішного виконання цих завдань необхідна не лише висока професійна підготовка, а й наявність спеціальних знань, розвинених психологічних і фізичних якостей, а також сформованих рухових умінь і навичок. Зокрема, у зіткненні з озброєними та агресивно налаштованими особами, успішність сутички визначатиметься психологічною готовністю до застосування поліцейських заходів примусу.

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MANIFESTATIONS OF COLLABORATION IN THE OCCUPIED AND DE-OCCUPIED TERRITORIES OF UKRAINE

Since the beginning of the full-scale invasion, the legislation of our country has ensured that all criminal offenses committed by the occupying forces and their authorities are qualified and subject to further investigation. Thus, the Criminal Code of Ukraine (hereinafter - CCU), namely Chapter I "Crimes against the foundations of national security of Ukraine" was supplemented with articles that provide for responsibility for treason, collaborative activity, assistance to an aggressor state, sabotage and unauthorized dissemination of information about referrals, the transfer of weapons, armaments and war supplies to Ukraine, the movement, transfer or deployment of the Armed Forces of Ukraine or other military formations formed in accordance with the laws of Ukraine, committed under conditions of war or a state of emergency. From this list, we propose to consider exactly the manifestations of collaboration in both occupied and de-occupied territories [3].

First of all, you need to understand what the term "collaboration" means and how it manifests itself. The history of the term in Ukrainian literature dates back to May 1940, when Germany attacked France [2, p. 45]. In general, this is cooperation and voluntary, unforced assistance to the occupying country against its state and the interests of its people. The legislator gives an extended definition of the term in Article 111-1 of the Criminal Code. If we consider the composition of such a criminal offense, it becomes clear that part 1 provides for a special subject - a citizen of Ukraine. At the same time, it can be a foreigner or a stateless person who commits a crime in accordance with

parts 4, 6 of this article. But such a person will bear responsibility only under certain conditions. On the objective side, collaboration is expressed in the public denial by a citizen of Ukraine of armed aggression against Ukraine, establishment and approval of the temporary occupation of part of the territory of Ukraine. What is meant here is the dissemination of appeals or expressions of objection to an unspecified circle of persons, in particular on the Internet or with the help of mass media. A similar disposition of the CCU is given in Part 1 of Article 436-2 "Justification, recognition as legitimate, denial of the armed aggression of the Russian Federation against Ukraine, glorification of its participants." Although they are similar, in practice it is necessary to avoid double incrimination [5].

Parts 2, 5 and 7 of Article 111-1 of the Criminal Code provide for public appeals by citizens of Ukraine to support the decisions and/or actions of the aggressor state, armed formations and/or occupation administration of the aggressor state, to cooperate with the aggressor state, armed formations and/or by the occupying administration of the aggressor state, until the non-recognition of the extension of the state sovereignty of Ukraine to the temporarily occupied territories of Ukraine [5]. With regard to the judicial practice of such criminal offenses, the fact of a citizen of our country voluntarily occupying a certain position in order to create a vertical of illegal authorities is enough to qualify the relevant actions under the specified parts. Part 6 of this article specifies that congresses, gatherings, rallies, marches, demonstrations, conferences, round tables, etc. are events of a political nature aimed at supporting the aggressor state.

The specified facts imply the direct participation of the subject of committing a criminal offense in the occupied territory. There are many examples in temporarily occupied cities when Ukrainians take an active part in the formation of an illegal administration and later work in such bodies. For example, guidance of the Russian "Iskander" at a cafe in the village of Groza in the Kharkiv region, which took place in October 2023. According to the investigation, this rocket could have been fired by two law enforcement brothers who are local residents of this village [4]. The transfer of the police to the side of the occupier and close cooperation with them is such an example.

At the same time, it should be remembered that extreme necessity, physical or mental coercion are facts that exclude the criminal illegality of the committed acts. This is provided for in Articles 39 and 40 of the Criminal Code.

It is also necessary to pay attention to the fact that exemption from criminal liability for criminal offenses provided for by Article 111-1 of the Criminal Code is possible upon voluntary refusal (p. 17 of the Criminal Code). Thus, it should be considered that an interrupted criminal offense at the stage of preparation or attempt, at the same time voluntary refusal is the circumstances for releasing a person from criminal responsibility. But in the event that the court does not see any other crimes in his/her actions [1].

Therefore, the issue of manifestations of collaboration will always remain open and relevant due to the difficulty of qualifying the subject's actions and in further proving the interaction of Ukrainian citizens with the occupation authorities.

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Анотація

Питання колаборації наразі є дуже актуальним для нашої держави у такі важкі часи. У тезах досліджується проблематика застосування слідчими норм Кримінального кодексу України у повсякденному житті. Метою дослідження є розгляд всіх аспектів роботи органів досудового розслідування не лише у теоретичних рекомендаціях, а й на реальних ситуаціях, які відбуваються у судовій практиці кримінального судочинства.

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IMPLEMENTATION OF CONSTITUTIONAL HUMAN RIGHTS BY THE NATIONAL POLICE OF UKRAINE DURING MARTIAL LAW

Due to the aggravation of current geopolitical, social and economic challenges, there is a need to study the problems of ensuring and protecting constitutional human rights during martial law, in particular in the context of professional activities of the National Police of Ukraine. This work is aimed at considering the relevant aspects of interaction between law enforcement officers and citizens in times of crisis and military conflicts.

Since 24 February 2022, in connection with the military aggression of the Russian Federation, martial law for a period of 30 days was introduced in Ukraine by Decree of the President of Ukraine No. 64/2022 of 24.02.2022, approved by the Verkhovna Rada of Ukraine on the same day. Later it was prolonged.

Under martial law, some constitutional rights of citizens may be restricted in order to mobilize state resources to counter military aggression more effectively. However, the fundamental constitutional rights of citizens enshrined in Articles 24, 25, 27, 28, 29, 40, 47, 61, 52, 55, 56, 57, 58, 59, 60, 61, 62, 63 cannot be restricted under any circumstances. The decision to restrict the rights and freedoms of the population is made by the military command together with other authorities. Thus, during the legal regime of martial law, the rights provided for in Articles 30-34, 38, 39, 41-44, 53 of the Constitution of Ukraine may be restricted or partially restricted. The military command may impose restrictions and prohibitions related to the free movement and stay of citizens in a certain area, introduce mandatory document checks and inspections of personal belongings, vehicles, cargo, residential and non-residential premises. During martial law, a curfew may be imposed, which provides for restrictions on citizens' presence on the streets at certain times of the day. Citizens who are registered with the military officers may be prohibited to change their place of residence or stay without the permission of the military commissar or the head of the relevant body of the Security Service of Ukraine or the Foreign Intelligence Service [1].

To protect your legal rights and interests under martial law, you should apply to law enforcement agencies - units of the National Police of Ukraine, the Prosecutor's Office, the Security Service of Ukraine, as well as other authorities that continue to operate in the area. You can also protect your rights by going to court.

The activities of state authorities and local self-government bodies under martial law are limited to assisting the military command and military administrations in the introduction and implementation of martial law measures, as well as in directly addressing the defense of the state and a certain territory. In this situation, the National Police have a special place due to the

content of their tasks and functions not only under martial law, but also those defined by the Law of Ukraine "On the National Police" [2].

After all, it is the effectiveness of the National Police that directly affect the internal security of the state under martial law. The peculiarities of organizing the activities of the National Police under martial law are determined by the current legislation, primarily the Laws of Ukraine "On the Legal Regime of Martial Law" [3] and "On the National Police", and depend directly on the tasks assigned to the police. Taking into account the measures of the legal regime of martial law, available information, and other factors, these tasks can be adjusted.

It is necessary to develop, foresee and systematize issues related to the organization of police activities and performance of official duties under martial law in order to create a comprehensive legal framework aimed at ensuring detailed regulation of the activities of the state police in the military system and the functioning of the components of the state police under martial law. One of the main tasks is to prevent the imposition of excessive restrictions on the human rights and freedoms provided for in the Constitution, the abuse of power by police officers in the performance of police duties under martial law, the development of mechanisms for interaction between state authorities and local self-government bodies and the police under martial law and the limitation of their powers. One way to solve this problem would be to define and formulate comprehensively, accurately and clearly the scope of the state police duties under martial law, their functions, limits of activity, rights and obligations, as well as procedures regulated by a single law. It would improve the interaction of powers between the police, armed forces and law enforcement agencies, as well as improve the organizational framework to ensure the effective implementation of martial law measures.

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Анотація

Автор звертає увагу на захист конституційних прав і свобод громадян України. Зазначена актуальність дослідження викликів у забезпеченні конституційних прав людини в умовах воєнного стану в

Україні, з акцентом на ролі Національної поліції. Основні конституційні права залишаються непорушними, тоді як рішення про обмеження інших прав приймаються колегіально. Громадянам рекомендується звертатися за захистом до правоохоронних та судових органів.

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UNITS OF PREVENTIVE ACTIVITIES IN THE STRUCTURE OF THE NATIONAL POLICE

With the announcement of the reform of the system of the Ministry of Internal Affairs of Ukraine, the creation of the National Police as a central body of executive power, which serves society by ensuring the protection of human rights and freedoms, countering crime, maintaining public safety and order, significant organizational and personnel changes took place in the former militia. Thus, instead of the usual public security units in the structure of the militia, the National Police has created "preventive activity units", which include units of precinct police officers, juvenile prevention units, and units for controlling the circulation of weapons in the field of the permit system.

Despite the fact that the administrative-legal status and activity of the mentioned subdivisions are at first glance sufficiently regulated, as an example, a number of departmental normative legal acts have been adopted. In particular:

- the order of the National Police of Ukraine "On approval of the Regulation on the Department of Preventive Activities of the National Police of Ukraine" dated November 27, 2015 No. 123;
- order of the Ministry of Internal Affairs of Ukraine "On approval of the Instructions for the organization of activities of precinct police officers" dated July 28, 2017 No. 650;
- order of the Ministry of Internal Affairs of Ukraine "On approval of the Instructions for organizing the work of juvenile prevention units of the National Police of Ukraine" dated December 19, 2017 No. 1044;
- order of the Ministry of Internal Affairs of Ukraine dated December 29, 2015 No. 1644 "On the implementation of the powers of the National Police of Ukraine in matters of issuing and canceling permits";
- order of the Ministry of Internal Affairs of Ukraine "On the approval of the Instructions for the preparation of materials on administrative offenses" dated November 6, 2015 No. 1376;

– order of the Ministry of Internal Affairs of materials on administrative offenses in the field of road safety, recorded not in automatic mode" dated November 7, 2015 No. 1395;

– order of the Ministry of Internal Affairs of Ukraine "On the approval of the Instruction on the procedure for keeping uniform records in police bodies of statements and reports on committed criminal offenses and other events" dated November 6, 2016 No. 1377 and others.

However, at the legislative level in the structure of the police, defined in Part 3 of Article 13 of the Law of Ukraine "On the National Police" [1] the specified divisions are not defined, which is a significant omission, because the divisions of preventive activity do not belong to the criminal or patrol police, nor to the pre-trial investigation and security police, and even more so to the special police and special purpose police.

That is why we consider it expedient to add part 3 of Art. 13 of the Law of Ukraine "On the National Police" paragraph 1-1 "preventive activity units".

The concept of "preventive activity units" covers the set of units of the National Police, which, with the help of administrative and legal forms and methods, ensure public safety and order, fight against crime.

The Department of Preventive Activities is the leading unit in the structure of the National Police of Ukraine for ensuring public order and security and implementing preventive activities.

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Анотація

З проголошенням реформи системи МВС України, створення Національної поліції як центрального органу виконавчої влади, який служить суспільству шляхом забезпечення захисту прав і свобод людини, протидії злочинності, підтримки громадськості, безпеки та порядку, у колишній міліції відбулися значні організаційні та кадрові зміни. Таким чином, замість звичних підрозділів громадської безпеки в структурі міліції, Національна поліція створила «підрозділи превентивної діяльності», до складу яких входять підрозділи дільничних офіцерів поліції підрозділи ювенальної превенції та підрозділи контролю за обігом зброї у сфері дозвільної системи.

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CURRENT DIRECTIONS OF PSYCHOLOGICAL SUPPORTING PROFESSIONAL ACTIVITIES OF LAW ENFORCEMENT OFFICERS UNDER MARTIAL LAW

Researchers K. Menard and M. Arter established that police officers are a vulnerable group, and due to excessive stress, they often suffer from depressive states and are prone to suicide [3]. This trend negatively affects the resilience of police officers, which has a significant impact on the quality of their work, especially in the context of military conflict, where the demands on law enforcement services are high. The possible post-war consequences are worrying, as they can negatively affect the mental health of police officers. It is clear that the police cannot completely avoid stress. In the context of hostilities, the police are an important service that is obliged to continue their work and respond to calls, even during active hostilities.

Already in 2010, L. Slocum pointed out that negative past experiences and a constant stress significantly affect a person's ability to tolerate stressful factors in the future [4]. It can be assumed that police officers working in the conditions of a military conflict may be less prepared to face new stress factors, which negatively affects their activities. In other words, police work in conditions of war, active hostilities, and constant shelling may reduce the readiness of police officers to cope with other stressful situations that are characteristic of their profession.

The conditions of martial law in Ukraine adequately strengthen the requirements for the professional activity of police officers. This requires improvement of the psychological support system to ensure their psychological stability. Police officers are in difficult and stressful situations where they have to act in extreme conditions. Their activities are accompanied by strict legal regulations, a hierarchical structure of subordination and a high level of responsibility and procedural independence.

According to the Procedure for organizing the system of psychological support for police officers, approved by order of the Ministry of Internal Affairs of Ukraine, psychological support is a necessary component of the professional activity of police officers. This includes a set of organizational, educational and psychological measures aimed at improving the effectiveness of police officers in ensuring public safety and order, as well as fighting crime.

Psychological support of police activity involves several directions. First of all, it is consulting police officers on the psychological aspects of effective performance of their official duties in accordance with the specifics of their work. Consultative and practical assistance is also provided to police officers in matters of effective communication, in particular during negotiations. Psychological support also includes the provision of emergency psychological assistance in extreme service situations.

Other aspects of psychological support include drawing up psychological portraits of suspects and accused persons during operative

measures and investigative actions. Necessary psychological assistance is also provided during interrogation of persons, in particular minors.

In addition, the psychological support of police officers includes conducting psychological trainings and exercises with the aim of improving their professional skills, developing stress resistance and emotional intelligence. These trainings may include aspects such as stress management, communication skills, conflict management, effective problem solving, self-regulation, and mental health support [2].

As part of psychological support, psychological examinations and evaluation of the professional suitability of police officers can also be carried out, as well as psychological counseling and support in cases of post-traumatic stress disorder or other psychological problems.

An important aspect of the psychological support of police officers is also the support of their families. Police officers, especially during martial law, face great risk to their safety, and this can have a negative impact on their family relationships and emotional well-being. Psychological support can also provide support and counseling to families of police officers, aimed at strengthening family ties and helping to resolve emotional difficulties.

Under conditions of martial law, psychological support of police officers in Ukraine is an important element of ensuring their psychological stability and efficiency in the performance of official duties. This contributes to maintaining the mental health of police officers, preventing burnout and maintaining their general well-being in conditions of high stress and tension [1].

Under martial law in Ukraine, such areas as psychological support in extreme service situations and emergency psychological assistance require special attention. Psychological support in extreme service situations involves the development of stress resistance skills and effective decision-making. Providing emergency psychological assistance includes not only providing direct support to law enforcement officers, but also training them to provide such assistance to various segments of the population who may experience personal, economic, social difficulties or suffer as a result of emergency situations.

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Анотація

Автор розглядає важливість психологічної підтримки співробітників Національної поліції України в умовах воєнного стану. Надання такої допомоги формує стресостійкість та допомагає долати кризові ситуації.

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ENSURING CHILDREN'S RIGHTS DURING POLICE CARE

One of the important tasks of a democratic rule-of-law state is to protect the rights and legitimate interests of citizens, safeguard established order and legality, combat crime and other violations of law. The implementation of measures for police care is aimed at fulfilling the tasks of protecting human rights and legitimate interests, maintaining law and order. This preventive police measure is new to Ukrainian realities, so it is important to use the developments and experience of countries where this measure has been fairly tested.

Currently, the development of the juvenile prevention system within the competence of the Ministry of Internal Affairs (MIA) is defined as one of the ways to achieve expected results in combating crime. In June 2018, the Ministry of Justice of Ukraine registered the order of the MIA of Ukraine dated December 19, 2017, No. 1044 "On approval of the Instruction on the organization of work of the units of juvenile prevention of the National Police of Ukraine" [1].

In their activities, juvenile prevention units are guided by the Constitution of Ukraine, laws of Ukraine, international treaties of Ukraine, the consent to the binding nature of which was given by the Verkhovna Rada of Ukraine, other legislative acts of Ukraine, and the Instruction.

The main tasks of the juvenile prevention units include: preventive activities aimed at preventing children from committing criminal and administrative offenses, identifying the reasons and conditions contributing to this, taking measures within their competence to eliminate them; keeping preventive records of children prone to committing offenses and conducting

individual preventive measures with them; participation in establishing the whereabouts of a child in case of their disappearance or obtaining data for this within the criminal proceedings opened in connection with their disappearance; taking measures to prevent and counter domestic violence committed by and against children, as well as cruel treatment of children; taking measures to prevent child neglect, including exercising police care for minors; conducting activities related to protecting the child's right to receive general secondary education.

In understanding the essence of any concept, it is expedient to refer to encyclopedic sources. Thus, according to the Great Explanatory Dictionary of Modern Ukrainian Language, "to care" means to show attention, concern for the needs of someone or something; to show anxiety about arranging something for someone or something, to worry about someone, something. "Caregiver" is someone who cares for someone or something; a caretaker [2, p. 972].

The Legal Encyclopedia defines "custodianship" as one of the forms of legal protection of the rights and property rights, as well as interests of citizens [3, p. 559]. Additionally, according to Ukrainian legislation, custodianship is a particular form of state care for minor children left without parental care, and for adults in need of assistance in ensuring their rights and interests.

Analyzing the content of normative legal acts, legislative and central executive bodies of Ukraine, as well as encyclopedic sources, it can be concluded that the term "custodianship" is used in the sense of "care", "assistance", "protection of rights and freedoms", and so forth. The introduced police custodianship is also aimed at providing assistance to individuals in need, namely: a minor under the age of 16 who is left unattended; a person suspected of escaping from a psychiatric or specialized medical institution where they were held based on a court decision; a person showing signs of severe mental disorder posing a real danger to others or themselves; a person in a public place who, due to intoxication, has lost the ability to move independently or poses a real danger to others or themselves.

In our opinion, minors are the most vulnerable among those individuals subject to police custodianship because the rights and freedoms of the child are one of the greatest social values of any state in the world. At the international level, every state is obligated to ensure such protection and custodianship for the child as necessary for their well-being, taking into account the rights and duties of their parents, guardians, or other persons responsible for them under the law, and to this end, take all appropriate legislative and administrative measures.

Analyzing the norms of Ukrainian legislation, the content of encyclopedic sources, as well as our own conclusions, we can conclude about the existence of the following features of police custodianship regarding minors under the age of 16:

Police custodianship regarding minors is a preventive measure, i.e., a measure to prevent administrative and criminal offenses, which does not involve the use of coercive measures;

Police custodianship regarding minors is a police measure, that is, one that embodies the will of the state, relies on the authority of the police, and is applied by police officers (the subjects applying this measure);

Police custodianship regarding minors is a set of care measures (medical, legal, psychological, household, material) for a minor;

The special subject of police custodianship application is a minor under the age of 16 who is left unattended [4, p.118].

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Анотація

Одним із важливих завдань демократичної правової держави є захист прав і законних інтересів громадян, охорона встановленого порядку і законності, боротьба зі злочинністю та іншими правопорушеннями. Здійснення заходів з опіки поліції спрямоване на виконання завдань із захисту прав і законних інтересів людини, підтримання правопорядку. Цей превентивний поліцейський захід є новим для українських реалій, тому важливо використовувати напрацювання та досвід країн, де цей захід досить апробований.

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INFLUENCE OF WAR ON POLICE-CITIZEN COOPERATION

Interaction between law enforcement agencies and the public is a key aspect of maintaining public order in both peacetime and martial law. In peacetime, this interaction is based on the principles of trust, cooperation and mutual understanding between law enforcement agencies and the public. The public acts as a partner for law enforcement officers, providing them with information about possible violations or threats to public order, as well as assisting in the investigation of crimes and the detection of offenders [1, p. 120].

Martial law conditions further reinforce the importance of cooperation between law enforcement agencies and the public. In these extraordinary circumstances, the public can act as an important source of information for law enforcement about the actions of enemy agents, potential terrorists, and other threats to the security of the state. Such information can be crucial in preventing crimes and mass violations of public order during hostilities [ibid., p 122].

The public can also play an important role in supporting law enforcement in wartime, for example by helping to organize civil defense, support victims and their families, and maintain public peace and order during emergencies. Cooperation between law enforcement agencies and the public under martial law is an important factor in the successful provision of security and restoration of normal life in the country after the end of the conflict [ibid., p. 123].

The introduction of martial law led to the expansion of police powers and changes in their activities. The police received new key rights and responsibilities, including receiving information from state bodies within clearly defined deadlines. This allows them to perform tasks and powers more efficiently, in particular with regard to prisoners of war. In wartime, plainclothes police officers are allowed to operate without a special badge, which facilitates operational search operations and security. Martial law also allows the police to use improvised means and coercive measures, including firearms, if necessary to repel an attack or detain offenders. The police can use a variety of technical devices, including drones, to detect and record crimes, as well as collect biometric data of individuals under certain conditions. The conditions of martial law also affect the detention of detained persons and the organization of technical and forensic support for inspection of the scene of the incident and demining. The new legislation also specifies procedures for police cooperation with international organizations such as Interpol and Europol. The changes in the conditions of martial law also concern the procedures for certification of police officers and public control over their activities, which are temporarily not being carried out. All these innovations are aimed at ensuring the safety of citizens and maintaining law and order in the conditions of a military conflict [2, p. 2].

In the current state of war, the importance of the tasks of the police in Ukraine becomes extremely relevant and critically important. According to Article 2 of the Law of Ukraine "On the National Police", the police have a wide range of tasks that have a direct impact on ensuring security and protecting the rights of citizens in wartime. The first and most obvious task of the police is to ensure public safety and order. The conditions of war create serious challenges for maintaining order and security on the streets, in public places and in residential areas. The police provide an adequate presence on the streets, control mass gatherings and events, and respond to any threats to public order. The second task is the protection of human rights and freedoms, as well as the interests of society and the state. In wartime, there is an increased risk of violation of citizens' rights and a threat to their security. The police act as a guarantor of the rule of law and human rights, providing protection and support to those who find themselves in a vulnerable situation. The third task is combating crime. The conditions of war can lead to an increase in criminal activity, including a variety of crimes, from theft to serious crimes against the life and property of citizens. The police must respond to these threats, investigate crimes and bring the perpetrators to justice, thus ensuring law and order in society. The fourth task is to provide assistance to persons who, as a result of the military conflict, need support and assistance. War can lead to mass migrations, disruption of economic stability and threat to the life and health of citizens. The police must ensure the safety and assistance of these people by providing them with the necessary support and protection. All of these wartime police tasks are critical to maintaining stability and security in society. Completion of these tasks will help ensure the protection of citizens' rights and the preservation of the normal functioning of the state in the conditions of a military conflict [3, p. 1-5].

In conclusion under martial law, police interaction with the public becomes even more critical to maintaining safety and order. In such emergency circumstances, the public becomes an important source of information for law enforcement agencies about potential threats and hostile activities. It can detect suspicious or dangerous behavior, thereby helping to prevent crimes and incidents that may threaten public safety. In addition, martial law forces the police to call on the public for assistance in organizing civil defense, assisting victims and their families, and maintaining public peace during crisis situations. In addition, in the conditions of a military conflict, the police receive expanded powers and new tools to ensure security and order. It can use stricter coercive measures to protect citizens and apprehend criminals. In particular, the police have the right to use firearms if necessary to repel an attack or protect citizens from serious threats. Martial law also allows the police to gather more information and use technology such as drones to detect and record crimes. Cooperation between law enforcement agencies and the public is important in all these aspects. It is this cooperation that makes it possible to respond to threats in a timely manner and ensure the

safety of citizens in conditions of martial law. Therefore, it is important to maintain and develop these relationships, even in the most difficult situations, to ensure the stability and security of the country.

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Анотація

У тезах наголошується на важливості взаємодії поліції з громадськістю як ключового аспекту забезпечення громадського порядку та безпеки, особливо в умовах воєнного стану. Зазначається, що взаємодія цих двох суб'єктів базується на принципах довіри, співпраці та взаєморозуміння. У тексті подані завдання поліції, які включають забезпечення публічної безпеки, захист прав людини, боротьбу зі злочинністю та надання допомоги особам у надзвичайних ситуаціях. Додатково зазначені розширені повноваження поліції та нові інструменти умов воєнного стану, такі як застосування вогнепальної зброї та технічні засоби для забезпечення безпеки. Також підкреслюється важливість співпраці між правоохоронними органами та громадськістю для успішного забезпечення безпеки та порядку в умовах воєнного конфлікту.

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THE EXPERIENCE OF FIGHTING CRIME IN THE USA

Today, the analysis of foreign experience in combating crime shows that, under modern conditions, criminal manifestations pose a real threat to democratic development and national security of most countries of the world. Criminal elements, having close interregional and international ties, increasingly direct their efforts to establish control over the most profitable spheres of economic relations [1, p. 699].

Investigative and forensic agencies of the USA have extensive experience in combating crime. For example:

- One of the measures to combat organized crime; there is a confiscation. There are two main types of forfeiture in the US: civil and criminal. Property used in criminal activity is subject to confiscation in civil proceedings. It can be a vehicle on which contraband was transported, equipment used for the production of drugs, money received from illegal transactions, property acquired as a result of the commission of a crime. No court verdict on a person's guilt is required in civil proceedings. Criminal forfeiture applies to those accused of racketeering or drug dealing. The object of confiscation in the criminal procedure is property [3, p. 100].

- The American police and other law enforcement agencies use "proactive investigation" tactics to achieve their goal, that is, to solve a crime. The essence of this approach is that the American law enforcement system does not have such a deterrent element as "pre-trial investigation" and all the additional elements of information verification provided by it. All proper and lawfully collected data shall be deemed sufficient to be presented in court [2, p. 699].

- A characteristic feature of the fight against crime in the United States in recent decades is the desire for centralized planning and coordination of this field of activity, the creation of special bodies for this purpose and the endowment of them with fairly broad powers [4, p. 6].

Studying the activities of investigative review groups of the American police, you can learn that the main principles for collecting evidence and, as a result, successfully solving a crime are:

- the thoroughness of the search and its implementation in strict accordance with the law
- quick procedure without compromises
- proper documentation of the scene
- proper methods and technologies of evidence extraction; correct use and knowledge of means and equipment
- removal of all evidence relevant to the case
- proper handling of evidence and its packaging
- availability of own capabilities for researching evidence
- observance of appropriate safety measures

So, we can conclude that investigative and forensic agencies of the USA have considerable experience and resources to fight crime and ensure the safety of citizens. They play an important role in the country's law enforcement system and promote justice and bringing criminals to justice.

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Анотація

Аналіз зарубіжного досвіду протидії злочинності показує, що в сучасних умовах злочинні прояви становлять реальну загрозу демократичному розвитку та національній безпеці більшості країн світу. Слідчі та криміналістичні органи США мають значний досвід і ресурси для боротьби зі злочинністю та забезпечення безпеки громадян, сприяючи встановленню справедливості та притягненню злочинців до відповідальності.

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ORGANIZATIONAL PRINCIPLES OF WHISTLEBLOWER RIGHTS PROTECTION IN THE MINISTRY OF DEFENSE OF UKRAINE

In the modern world, the fight against corruption and violations of the law become a crucial element of a democratic society. Therefore, protecting the rights of whistleblowers, who bravely report possible corruption or corruption-related offenses in the Ministry of Defense of Ukraine becomes of paramount importance. The aspect of whistleblower protection is the effective organization and provision of internal reporting channels. In this process, it is necessary to adhere to a few of mandatory principles.

Firstly, it is essential to provide whistleblowers with optimal conditions for reporting violations, which can be achieved by implementing incentive mechanisms and fostering a culture of reporting. Providing guidance and consultations on the reporting process is also a vital part of this process [1, p.156].

To ensure the effectiveness of disciplinary responsibility, it is crucial to establish specific time frames for conducting disciplinary proceedings based

on the reported information. If the investigation of the reported information is not possible within the established period, an extension of up to 45 days is permissible. Managers must ensure prompt communication of the results of the review and, if necessary, the outcomes of disciplinary proceedings to the individuals who made the reports. This not only demonstrates transparency in the processes but also enhances whistleblowers trust in the system. Transmitting relevant materials to specially authorized entities and maintaining a register of reports are key elements of this mechanism.

Additionally, it is important to specify, that the head of the respective department interacts solely with the head of the authority, ensuring accountability and transparency in their work. Facilitating the functioning of internal reporting channels through various means such as websites, online forms, phone lines and email addresses is an additional step to ensure accessibility and efficiency of the system.

An essential principle of whistleblower rights protection is the right to state protection. This right arises due to their significant contribution to preventing corruption through reporting violations in accordance with the Ukrainian Law "On Corruption Prevention". The state is obligated to ensure the immunity and security of these individuals as designated fighters against corruption. Anonymity and non-disclosure of information about whistleblowers are critical aspects of their protection. The Ukrainian Law on Corruption Prevention allows for anonymous reporting, creating a secure mechanism for those, who decide to oppose corrupt practices [2]. Information about the whistleblower can only be disclosed with their consent, emphasizing the importance of confidentiality in this process.

Additional guarantees for the protection of whistleblower rights are provided in situations, where there is a threat to the life, residence, health, or property of whistleblowers. In such cases, law enforcement agencies can apply legal and organizational-technical measures to protect against unlawful encroachments, as provided by relevant legislation.

An important component of guarantees for protecting whistleblower rights is safeguarding their employment rights. The law explicitly states, that no negative measures, such as dismissal, disciplinary action, or changes in working conditions, can be applied to individuals, who have reported violations of corruption norms. In the case of unlawful dismissal, the employee has the right to reinstatement and compensation for lost time [3, p.133]. It is also crucial to consider guarantees for protecting whistleblower rights in administrative and civil proceedings. The National Agency for Corruption Prevention can be involved as a third party providing support to whistleblowers in cases, where their rights are violated or when they become the subject of negative social or professional influence [4, p.134].

In conclusion, the organizational principles of protecting whistleblower rights in the Ministry of Defense of Ukraine are a significant step in supporting individuals, who stand against corruption. These principles ensure

confidentiality, protection against reprisals, and compensation for their contribution to the fight against corruption, contributing to the creation of an effective and transparent corruption prevention system in Ukraine [5].

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Анотація.

Дана робота розглядає важливі аспекти організації та захисту прав викривачів у Міністерстві оборони України, як важливого елемента боротьби з корупцією. Зокрема, акцентується на необхідності ефективних внутрішніх каналів повідомлень, забезпеченні дисциплінарної відповідальності та взаємодії з правоохоронними органами. Стаття висвітлює важливість анонімності для викривачів та надає рекомендації з покращення системи захисту прав викривачів у контексті українського законодавства. Зазначається, що забезпечення цих засад сприяє створенню ефективної та довіреної системи запобігання корупції в Україні.

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SPECIAL PROCEDURE FOR CONDUCTING PRE-TRIAL INVESTIGATION DURING MARTIAL LAW

After February 24, 2022, life in Ukraine was divided into "pre-war" and "war" times. The military aggression of the russian federation against Ukraine forces us to solve a set of problems, not only of a military nature, related to

the confrontation and struggle with the occupiers, but also legal, in particular, organizational and other problems related to the need to investigate crimes committed in the territories of the hostilities, during hostilities, in temporarily occupied territories.

Art. was changed. 615 of the Criminal Procedure Code of Ukraine, which is now entitled "Special regime of pre-trial investigation and extension of terms of detention during court proceedings under conditions of war, state of emergency or in the area of anti-terrorist operations or measures to ensure national security and defense, repel and deter armed aggression of the Russian Federation and/or other states against Ukraine".

In particular, according to the new wording of clause 1, part 1 of Article 615 of the Criminal Procedure Code of Ukraine, in the absence of a technical possibility of access to the EDPR, the decision to start a pre-trial investigation is made by the investigator or the prosecutor, which is issued by a resolution. Information to be entered into the EDPR is entered into it as soon as possible. This procedure applies to all criminal offenses.

In addition, the powers of the head of the prosecutor's office in criminal proceedings have been expanded. The law expanded the list of articles of the Criminal Code, in proceedings under which such powers are granted to the prosecutor. Yes, almost all crimes against property, murder, etc. are included here.

Part 3 of Art. 615 of the Criminal Procedure Code also stipulates that the higher-level prosecutor and the relevant court are immediately notified of such decisions made by the prosecutor at the earliest opportunity. Part 2 of this article establishes the possibility of extending the term of the decision on detention or the prosecutor's decision on detention for a period of up to 30 days. In addition, the legislator provided for the continuation of preventive measures in the form of detention, which expire (Part 6 of Article 615 of the Criminal Procedure Code).

In addition, the new paragraph 3, part 1 of Art. 615 of the Criminal Procedure Code provides for a rule according to which, in the absence of an objective possibility to apply to the court with an indictment, the period of pre-trial investigation in criminal proceedings is suspended, and is subject to renewal if the grounds for suspension no longer exist [1, c. 86-87].

It should be emphasized: if there is no objective possibility for the investigating judge to exercise his powers within the time limits established by law, such powers are exercised by the head of the relevant prosecutor's office at the request of the prosecutor or at the request of the investigator agreed with the prosecutor.

In urgent cases, an inspection of the scene of the incident may be conducted before the investigator or prosecutor issues a decision on the initiation of a pre-trial investigation (the decision is taken immediately after the inspection is completed).

The head of the prosecutor's office is authorized to make decisions on:

- remote pre-trial investigation (Article 232 of the Criminal Procedure Code of Ukraine);
- granting permission to search a person's home or other property (articles 233, 234, 235 of the Criminal Procedure Code of Ukraine);
- granting permission to inspect a person's home or other possessions (which can be seen from Part 2 of Article 237 of the Criminal Procedure Code of Ukraine);
- forced collection of biological samples for examination (Article 245 of the Criminal Procedure Code of Ukraine);
- conducting secret investigative actions (Articles 246, 247, 248, 250 of the Criminal Procedure Code of Ukraine).

In accordance with Part 12 of Art. 615 of the Criminal Procedure Code of Ukraine, the investigator, investigator, prosecutor ensures the participation of the defender in the conduct of a separate procedural action, including in the case of the impossibility of the appearance of the defender - with the use of technical means (video, audio communication) to ensure remote participation of the defender.

The examiner, investigator, prosecutor ensures the participation of an interpreter to translate explanations, statements or documents of the suspect, the victim at the first opportunity. In the presence of circumstances that make it impossible for a translator to participate in criminal proceedings, the inquirer, investigator, prosecutor has the right to personally translate explanations, statements or documents, if he speaks one of the languages spoken by the suspect or the victim.

When conducting a search or inspection of a person's home or other possessions, a search of a person, if the involvement of witnesses is objectively impossible or is associated with a potential danger to their life or health, the corresponding investigative (search) actions are carried out without the involvement of witnesses. In such a case, the course and results of a search or inspection of a person's home or other property, a person's search, are necessarily recorded by available technical means by means of continuous video recording [2] .

It is worth noting the features caused by the martial law:

- Investigative (search) actions are recorded by available technical means, followed by the preparation of a corresponding protocol. A search and inspection without the involvement of witnesses can be carried out only if their safety is ensured, under such conditions these procedural actions are recorded by available technical means by means of continuous video recording.
- Remote participation of the defender during a separate procedural action is allowed in case of impossibility of his appearance.
- The examiner, the investigator, and the prosecutor may translate explanations, statements, or documents of the suspect, the victim, in the

presence of circumstances that make it impossible for the translator to participate in criminal proceedings.

- A special order of pre-trial investigation allows investigative actions to be carried out at night (from 10:00 p.m. to 6:00 a.m.).
- It is possible to detain a person for a period of up to 216 hours (nine days) from the moment of detaining a person without a decision of an investigating judge, a court or a decision of the head of the prosecutor's office during martial law.
- From the moment a person is detained, a written notice of suspicion is given to the person within 72 hours (and not up to 24 hours, as before), otherwise the detainee is released.
- The pre-trial investigation may be stopped after the person is notified of the suspicion in the presence of objective circumstances that make it impossible to conduct the pre-trial investigation in the conditions of martial law.
- The prosecutor has the right to stop the pre-trial investigation in the event of the introduction of martial law and, if there is no objective possibility of further conduct, to end the pre-trial investigation. Before stopping the pre-trial investigation, the prosecutor is obliged to decide on the issue of extending the term of detention [3].

So, summarizing, we see that the changes made by the legislator are aimed at "adapting" criminal procedural norms to the complications caused by the state of war in Ukraine, with the aim of facilitating the procedure of pre-trial investigation by investigators and inquirers and to protect them, together with other participants in criminal proceedings, from threats of today.

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Анотація

Слідчий, прокурор забезпечує участь перекладача для перекладу пояснень, заяв чи документів підозрюваного, потерпілого за першої можливості. За наявності обставин, що унеможливають участь перекладача в кримінальному провадженні, особа, яка провадить дізнання, слідчий або прокурор має право особисто перекладати пояснення, заяви чи документи, якщо він володіє однією з мов, якими володіє підозрюваний або жертва. При проведенні обшуку чи огляду житла чи іншого володіння особи, обшуку особи, якщо залучення понятих об'єктивно неможливе або пов'язане з можливою небезпекою для їх життя чи здоров'я, проводяться відповідні слідчі дії без залучення свідків.

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PREVENTION OF OFFENSES BY LAW ENFORCEMENT AGENCIES IN PEACETIME AND WARTIME

In Ukraine, at the current stage of reforming the law enforcement system and the judiciary, the issue of detecting, registering and recording crimes, analyzing the crime situation and the need to develop and implement measures to prevent criminal offenses is an acute one. This issue is always relevant, as the types and intensity of crimes are increasing every year. Now we want to compare the measures taken by law enforcement agencies to prevent crimes in peacetime and under martial law.

For example, the Law of Ukraine "On the Fundamentals of National Security of Ukraine" states that reforming the law enforcement system in order to increase the efficiency of its activities through optimization of the structure, increasing the level of coordination of law enforcement agencies, improvement of their financial, logistical, organizational, legal and personnel support are among the main directions of the state policy on national security of Ukraine.

The Order of the Ministry of Internal Affairs of Ukraine No. 575 of July 7, 2017, approved the Instruction on the organization of interaction of pre-trial investigation bodies with other bodies and units of the National Police of Ukraine in the prevention of criminal offenses, their detection and investigation, but does not define the forms of interaction, but only specifies the peculiarities of organizing interaction in the investigation of various types of criminal offenses (for example, criminal offenses committed against life, health, sexual freedom and sexual non-discrimination). In other words, in peacetime, measures such as improving financial, logistical, organizational,

and legal and personnel support, improving communication between units, increasing the level of coordination of law enforcement activities, etc. were relevant to improve the work of law enforcement agencies and effectively prevent offenses. In peacetime, the first priority was given to improving the working conditions of police officers and their interaction to combat crime better.

As for combating offenses in wartime, today this state is a special legal regime for the activities of state authorities, other state bodies, local governments and organizations in Ukraine in exceptional conditions related only to external circumstances - the need to repel aggression against Ukraine or prevent an immediate threat of aggression.

Employees of internal affairs bodies who perform public order protection duties under martial law must know the organization and tactics of internal affairs bodies under such conditions, tasks, functions, forms and methods of police activity, decisions of local authorities on public order protection, current legislation, in particular, the legislation regulating the activity of internal affairs bodies and other law enforcement agencies under martial law. In other words, the extreme complexity of ensuring public order under martial law requires high professional training of internal affairs officers. Actions of internal affairs bodies under martial law must be legally competent and perceived by citizens whose rights and freedoms are restricted as fair and lawful. Unlawful actions of internal affairs officers can cause significant damage. At such times, it is difficult for police officers to provide better and more favorable working conditions due to the high level of danger and stress. In addition to combating crime, they are also responsible for protecting society from war crimes, such as helping people when they are hit by a rocket, helping the wounded, increasing patrols, especially during curfews, increasing duties at checkpoints, etc. Unfortunately, one of the most pressing crimes in such a difficult time is high treason, which requires a new approach, as it is becoming more and more difficult to identify criminals. Therefore, the issue now is the number of employees and the intensification of efforts to more effectively counteract both ordinary crime and war crimes.

To summarize, it should be noted that interaction of state authorities in the field of prevention of criminal offenses may be carried out in other forms, which include: holding joint meetings and conferences, work planning, mutual exchange of information, execution of orders, joint inspections and audits, transfer of materials containing signs of a crime to law enforcement agencies, exchange of experience and coordination of work. But the main thing remains the same in peacetime and under martial law: protecting human life and health, maintaining public order, and protecting the rights of Ukrainian citizens. Only the means and conditions for fulfilling these duties differ. This requires a coordinated operation of such a mechanism, which is possible only on the basis of effective interaction between law enforcement and regulatory authorities.

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Анотація

Автор розглядає спільні та різні риси у попередженні злочинів співробітниками Національної поліції України у мирний час та під час воєнного стану. Надаються деякі пропозиції щодо покращення цієї роботи.

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CRIME PREVENTION BY LAW ENFORCEMENT AGENCIES IN PEACE AND WARTIME

The terms "crime prevention", "crime deterrence" and "crime suppression" are also often used in the literature and regulations. Some authors do not consider it necessary to distinguish any semantic shades of these concepts and consider them synonymous with the general concept of "crime prevention", but there are still certain semantic differences between them [1].

The concept of crime prevention can be understood in both a broad and narrow sense. In the broad sense, prevention is synonymous with warning. In the narrower sense, prevention is defined as measures aimed at identifying and eliminating the causes and conditions of specific criminal acts, as well as identifying persons potentially capable of committing a crime in order to exert a targeted preventive influence. Such activities are one of the stages of comprehensive crime prevention.

Ensuring public safety and preventing crime are among the most important tasks facing the state. In this context, crime prevention is a priority for law enforcement agencies, the relevance of which increases in wartime.

Crime prevention is a complex task that requires a comprehensive approach. Law enforcement agencies should use a variety of methods and tools to prevent crime in both peacetime and wartime.

The main areas of activity related to crime prevention can be divided into two types: General and Special.

General methods of crime prevention include:

- developing and implementing comprehensive crime prevention programmes that take into account the specifics of the region and the social characteristics of the population. These programmes may include:
- conducting preventive talks and lectures in educational institutions, labour collectives, and places of residence;
- distribution of information materials on ways and methods of crime prevention;
- involvement of citizens in self-organisation and self-defence programmes;

Establishment and support of centres for social assistance and rehabilitation for persons prone to committing crimes.

Special measures to prevent crime include:

- creating a safe environment in settlements, including improving street lighting, security of residential and public facilities. This may include:
- installation of video surveillance cameras;
- organizing street patrols;
- ensuring proper technical condition of residential buildings and other facilities;
- organizing security and concierge services;
- combating poverty, unemployment and other social factors that contribute to crime;
- implementation of state social support programmes;
- improving the standard of living of the population.

Prevention of crimes by the bodies of the National Police is a type of activity of the services, units and employees of the said bodies, which is carried out within their competence, to prevent and stop crimes, to identify the reasons and conditions that contribute to their commission, to apply measures to persons with illegal behavior in order to prevent from their side of criminal acts.

Police officers who perform duties for the protection of public order and combating offenses under martial law must know the organization and tactics of law enforcement agencies in such conditions, tasks, functions, forms and methods of police activity, decisions of local authorities on matters of public order protection, current legislation, in particular, that which regulates the actions of the police and other law enforcement agencies under martial law conditions. In addition, during the implementation of tasks to ensure public safety and order in the conditions of martial law, attention should be focused on the acquisition and analysis of preventive information about the emergence of possible threats.

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Анотація

У дослідженні розглядаються основні напрямки діяльності правоохоронних органів з запобігання правопорушенням, а також особливості цієї діяльності в мирний і воєнний час. Розглянуто загальні та особливі методи попередження злочинів.

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TOPICAL ISSUES OF LAW ENFORCEMENT TRAINING IN PEACETIME AND CONDITIONS OF MARTIAL LAW

In peacetime, the training of personnel for the National Police of Ukraine was considered as a purposeful process of acquiring systematic theoretical knowledge, forming practical skills and skills in mastering the chosen profession, on the condition that subjects of educational activity ensure the proper functioning of the education system, aimed at realizing the right to education by every person and meeting the needs of the National the police in highly qualified specialists who are able to effectively fulfill their duties of protecting human rights and freedoms, protecting the interests of the state and society, combating crime, ensuring public safety and order. It should be emphasized that despite the existence of its own vision of the development of education for law enforcement officers, proposed by the Ministry of Internal Affairs of Ukraine, one can also hear critical remarks about the effectiveness of such training of police officers. In particular, this concerns the training of specialists in the legal profession. Taking into account the specifics of the tasks and functions entrusted to the bodies of the National Police, we cannot limit the training of police officers exclusively to higher education in specialty 262 "Law enforcement". These include, for example, canine units, juvenile prevention units, the service of precinct police officers, patrol police units, etc. However, investigative units and investigative units of the National Police of Ukraine need specialists from among police officers who are familiar with both special regulatory and legal acts and current legislation in general. And this is already provided by training in specialty 081 "Law". It should be noted that training methods for training police officers were implemented using the "police quest" method. The general requirements for quest tasks and the

procedure for their protection were developed by the Department of Personnel, the Organization of Educational and Scientific Activities of the Ministry of Internal Affairs of Ukraine, in accordance with the Methodological recommendations for conducting classes in the form of a police quest in institutions of higher education that train personnel for the Ministry of Internal Affairs of Ukraine and the National Police. For example, at the Dnipro State University of Internal Affairs, the elements of the police quest are used in three components. First, for conducting practical classes. Secondly, to protect the results of introductory, initial practices and internships. Thirdly, to conduct the final state certification in the disciplines of specialization. Professional training of members of investigative and operative groups is carried out even in peacetime. Usually, peacetime professional training of who are part of investigative and operational groups is carried out separately at the relevant structural divisions of the Ministry of Internal Affairs of Ukraine and the National Police of Ukraine. In order to eliminate such shortcomings, it would be expedient to draw up training plans and training schedules with members of investigative and operational groups. One of the directions of official training, in the course of which it would be expedient to consider, is the issue of the peculiarities of observing the regime of secrecy and secrecy of pre-trial investigation and information security, which should be carried out with the participation of employees of the Security Service of Ukraine, cyber police and employees of regime police units. For example, in the current state of war, individual politicians, heads of certain departments publish, in our opinion, closed information about the amount, types, ways of receiving and transferring military and other aid from the partners of our country, as well as certain strategic and tactical information of a military and law enforcement nature.

Another significant direction of professional training would be to consider the issue of improving interaction with forensic specialists, employees of expert institutions of the system of the Ministry of Internal Affairs of Ukraine, the Security Service of Ukraine. In addition, it was expedient to hold joint classes in peacetime and during a state of war with the participation of the following specialists: 1) with forensic medical experts; 2) with psychiatrists and teachers for the purpose of establishing proper contact during inspections of the scene of the incident and during other investigative actions involving and victims of children and minors; 3) with auto technicians and forensic experts; 4) with expert specialists of various expert institutions, in particular regarding training issues and conducting forensic molecular genetic examinations to establish DNA profiles and the specifics of conducting examinations in the investigation of murders and war crimes against military personnel, our prisoners of war, representatives of regional and local bodies of the military administration, and the civilian population and other categories of persons; 5) in cooperation with forensic doctors and procedural heads of pre-trial investigation and other specialists and forensic

experts; 6) with specialists in criminal law. During the Second World War, professional training was carried out constantly between hostilities, in particular in the rear, so today there are problematic issues of scientific research and the development of proposals regarding the recommended time of its implementation, since a feature of today's state of war is daily and constant massive shelling individual settlements.

It is likely that more specific results of such studies and proposals will be available after the end of hostilities. Taking into account the significant burden on police units, the destruction of their office premises, combat losses and injuries among its personnel, in some regional centers and large cities during martial law, problematic issues arise from the point of view of the organization of activities and the rotation of investigative-operational groups. In my opinion, in order to optimally and maximally involve the personnel of the police to work in the specified investigative and operational groups for the wartime period, it would be expedient to: 1) provide in the mobilization plans of the Ministry of Internal Affairs of Ukraine and the National Police of Ukraine for the period of martial law to increase the number of investigators in regional units of pre-trial investigation; 2) provide in the mobilization plans of the Ministry of Internal Affairs and the National Police of Ukraine for the period of martial law to increase the number of forensic specialists in regional investigative departments and district police units; 3) it is necessary to support the proposal to appoint investigators during martial law to the positions of acting investigators, who will be given their procedural rights and duties (since investigators conduct pre-trial investigations of serious and especially serious crimes), which will contribute to timely inspection of crime scenes and relevant criminal investigations proceedings committed during martial law. In my opinion, when implementing the developed proposals, they will be able to contribute to the improvement of the professional training of police officers and relevant specialists, who will be ready to perform their duties as part of investigative-operational groups and investigative groups in peacetime and to solve the tasks set in a possible state of war. However, the issues raised are not final and are subject to separate research or scientific study.

Анотація

У тезах розглянуто питання щодо актуальних питань підготовки правоохоронців в мирний час та в умовах воєнного стану, їх спільні та відмінні ознаки. Встановлено, що підготовка кадрів Національної поліції України та Міністерства внутрішніх справ України у мирний час, очевидно, була набагато простішою ніж в умовах воєнного стану. Але наразі правоохоронців не вистачає, адже мобілізацію ніхто не відмінює.

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TOPICAL ISSUES OF PHYSICAL TRAINING OF LAW ENFORCEMENT OFFICERS UNDER MARTIAL LAW

The conditions of martial law impose special requirements for the training of law enforcement officers, who play a key role in ensuring the safety of citizens and maintaining order. In Ukraine, which is facing the challenges of a military conflict, the relevance of this issue is becoming critical. Ensuring order and protecting citizens in wartime is a key component of modern police functioning and requires constant improvement and readiness to respond to new challenges. These challenges include extreme stress, physical and mental exhaustion, limited movement and communication, use of weapons, cooperation with the Armed Forces, and civilian control. During the period of martial law, future police officers need to make more efforts and improve their professional skills to ensure the safety of people in difficult conditions, use the necessary force and effective methods, be able to recognize dangerous situations and act ethically, without prejudice [6].

Physical training is a set of measures aimed at forming and improving motor skills, developing physical qualities and abilities, taking into account the specifics of their professional activities [7]. It should be noted that only a specially trained person with a high level of knowledge and responsibility for his or her work can perform police duties. However, theoretical knowledge alone is not enough, especially during martial law, when practical skills acquired during special training are essential [5, p. 8]. A future police officer must immerse himself in the specifics of his job and realize that the most important stage will be to consolidate the theoretical framework and strengthen practical skills. The basis of such training is the study of methods and actions in extreme situations, working out the procedure (algorithm) for the use of coercive measures, including weapons, special means, military and special equipment, compliance by managers and individuals with the methods of decision-making and management of forces, means, combat orders, service outfit during special police operations, elimination of collective violations of public (civil) order and mass disorders [8, p.11].

To date, the main problem faced by higher education institutions of the Ministry of Internal Affairs of Ukraine in training future law enforcement officers is the insufficient level of physical fitness of young people entering the law enforcement agencies, which may affect the quality of training of future law enforcement officers and their ability to perform their duties [3, p.1171]. The reasons for the low level of physical fitness may include low

motivation of young people for physical training, insufficient physical activity, psychological pressure and stress, unstructured physical activities, or lack of an effective police training system.

One of the most important components of the training of employees of the Ministry of Internal Affairs of Ukraine in general, as well as internal affairs agencies, in particular for effective actions under martial law, is the training of cadets in the higher education institutions of the Ministry of Internal Affairs of Ukraine with specific training conditions, as well as training of internal affairs officers in methods and techniques for the rational and safe performance of operational and combat tasks [2, p.44].

Physical fitness is a key component of successful police work - even in normal peacetime conditions, police officers must be prepared for physical challenges, including pursuit, defense against attacks, use of physical coercion and other physical tasks. Taking into account the new realities caused by the armed aggression of the terrorist country, martial law and hostilities on the territory of Ukraine, we will outline the main tasks and goals that need to be achieved during the training of future police officers during martial law:

1) strengthening the physical condition and motivation of cadets, encouraging them to improve their physical development, and building stress resistance to perform difficult physical tasks in service;

2) combat training: training cadets in effective methods of hand-to-hand combat for self-defense and protection of citizens, including military and tactical skills, possession of weapons and special equipment such as gas ammunition and body armor (improving firing exercises with weapons, taking them to training grounds to practice exercises with automatic weapons with additional physical activity close to real combat missions);

3) tactical training: mastery of tactical techniques and strategies aimed at ensuring the safety of citizens and personnel in the context of military conflict, which may include defense tactics, interception and response to terrorist threats (conducting simulation training that includes real-life scenarios and the use of special equipment allows police officers to gain experience and adapt to stressful situations);

4) medical training: skills in tactical medicine, providing assistance in case of injuries, wound dressing, transportation and evacuation of the wounded, which is closely related to strong physical training;

5) psychological training: working with psychologists, identifying a person's tendency to panic, psychological unpreparedness for active action in typical stressful situations that occur in police activities [1, p.281]; training in stress resistance, stress management and psychological support during crisis situations, which contributes to the mental health of future law enforcement officers [4, p.340];

6) communication skills: development of high moral and volitional qualities in cadets, which are necessary for coordination with other law

enforcement agencies, military units and civilian structures, and performance of combat missions in conditions of panic in society.

Therefore, high-quality physical training of police officers under martial law is a critical component of preparation for possible emergencies and performance of official duties in the context of armed conflict, and requires specific skills, strategies and psychological resilience from law enforcement officers. The physical readiness of law enforcement officers develops their endurance, strength, flexibility and maneuverability, which help them adapt to different situations and respond quickly and effectively to changes in the environment, ensure the safety of citizens and their own personnel, and perform their duties in the context of military conflict.

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Анотація

Умови воєнного стану накладають особливі вимоги до підготовки правоохоронців, які відіграють ключову роль у забезпеченні безпеки громадян та збереженні порядку. В Україні, яка стикається з викликами воєнного конфлікту, актуальність цього питання стає критичною. Якісна фізична підготовка поліцейських в умовах воєнного стану є критично важливою складовою підготовки до можливих надзвичайних ситуацій та виконання службових обов'язків в умовах збройного конфлікту, а також вимагає специфічних навичок, стратегій та психологічної стійкості від правоохоронців. Фізична готовність правоохоронців розвиває їх витривалість, силу, гнучкість і маневреність, які допомагають їм пристосовуватися до різних ситуацій та швидко і ефективно реагувати на зміни у середовищі, забезпечувати безпеку громадян та власного персоналу, а також виконувати службові завдання в умовах воєнного конфлікту.

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FORMING PARTNERSHIP RELATIONS BETWEEN THE NATIONAL POLICE AND POPULATION IN PEACETIME AND IN CONDITIONS OF MILITARY CONFLICT

Changes in Ukrainian society, its economic and political spheres always naturally affect the process of forming new relations between the state, its institutions and citizen-society. The continuous interaction of the authorities and society is a necessary prerequisite for stability even now, during the armed aggression of the Russian Federation, because without the support of society it is impossible to solve the problem of development.

The National Police interacts with the public on preparation and implementation of joint projects, programs and activities to meet the needs of the population and ensure public order in times of armed conflict. Cooperation between law enforcement agencies and the public in the field of public order is very important these days.

An important task of forming partnership relations between the National Police and the population is the rationalization of such relations on the basis of trust, transparency, and mutual assistance both in the fight against crime and in the field of public order. One of the defining provisions of the Law of Ukraine "On the National Police" [1] is that the main criterion for evaluating the effectiveness of police bodies and units is the level of public trust in the police. Such a position of the legislator seems quite natural, because the daily activities of police officers take place in front of the public,

and the authority and trust of the police then depends on the behavior of its employees in communicating with people.

In fact, the activities of the National Police are carried out through close interaction with the population, territorial communities and institutions of civil society on the basis of partnership and are aimed at meeting their needs. It is obvious that optimizing the work of the National Police of Ukraine, based on powerful interaction with the population, is an urgent problem.

A leading example of partnership between law enforcement agencies (primarily, patrol police) and the public is joint activity with public organizations operating on the basis of the Law of Ukraine "On the Participation of Citizens in the Protection of Public Order and the State Border" [2].

In accordance with Article 1 of this law, public formations for the protection of public order and the state border can be created on the basis of public self-activity as consolidated units of public formations, specialized units (groups) to assist the National Police and the State Border Service of Ukraine, associations of public formations, etc.

Other provisions of this law provide that the main tasks of public formations for the protection of public order and the state border are: 1) in the field of public order protection:

- providing assistance to the National Police bodies in ensuring public order and public safety, preventing administrative and criminal offenses;
- informing the National Police about committed or pending criminal offenses, places of concentration of criminal groups;
- assistance to the National Police bodies in detecting and solving criminal offenses, searching for the persons who committed them;
- protecting the interests of the state, enterprises, institutions, organizations, and citizens from criminally illegal encroachments;
- participation in ensuring road traffic safety and combating child neglect and juvenile delinquency.

Since the country is currently going through difficult times associated with armed conflict, public participation is very important.

Thus, in the event of emergency situations, public formations are responsible for:

- provision of emergency assistance to persons who have suffered from accidents or offenses;
- participation in rescuing people and property, maintaining public order in the event of a natural disaster and other emergency circumstances.

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Анотація

У роботі розглянуто діяльність Національної поліції, яка здійснюється через тісну взаємодію з населенням, територіальними громадами та інститутами громадянського суспільства на засадах партнерства та спрямована на задоволення їх потреб.

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THE TASKS AND ROLE OF THE NATIONAL POLICE IN RESPONSING TO EMERGENCY SITUATIONS AND ELIMINATING THEIR CONSEQUENCES IN WAR CONDITIONS

Even according to rough estimates, emergency situations (ES) caused by russia's illegal military sabotage actions in Ukraine resulted in the death and injury of more than 2,100 peaceful Ukrainian citizens. Along with the establishment of a modern air defense system, an effective method and means of protecting the country's population from the threat of air and missile damage remains the system of timely notification, the use of civil defense protective structures, and the training of the population in civil defense measures [1, p. 101]. The personnel of the National Police of Ukraine (hereinafter NPU) actively participates in measures to respond and to eliminate the consequences of emergencies caused by military aggression.

Before the full-scale invasion of russia into Ukraine, the majority of active police officers assessed the level of threats of emergencies in their region as average (27,8%) and below average (43%). At the same time, 86,1% of them noted that they personally did not have to participate in emergency response and liquidation activities during official activities. The picture has changed significantly since the beginning of the war – already 16,7% of police officers recognized the level of threats of emergency occurrence as average, and 73,6% – as above average and high. At the same time, almost 70% of the interviewed law enforcement officers admitted that they personally had to participate in emergency response and elimination.

Often the personnel of units (bodies) of the NPU are the first to find themselves at the scene of an emergency. There are examples when the buildings of the police authorities became direct objects of the enemy's air attack. Their personal safety, the safety of other third parties, the timeliness of rescue and the provision of necessary assistance to injured persons, the

provision of more optimal conditions for the implementation of measures to eliminate consequences by rescue, medical and other law enforcement units (bodies).

The bodies (subdivisions) of the NPU are entrusted with the so-called special official tasks, which are performed when responding to emergencies, carrying out emergency and rescue and other urgent work, working out and implementing emergency response plans, and when performing official tasks defined by the legislation of Ukraine in the event of the introduction of legal the regime of martial law or state of emergency, as well as the performance the tasks of territorial defense and civil defense in a special period [2, p. 45]. The scope and list of special official tasks, the performance of which police officers can be involved in the case of an emergency situation, are partially outlined in the Procedure for the interaction of territorial police bodies and interregional territorial bodies of the NPU during response to emergency situations, in the event of the introduction of a legal regime of martial law or a state of emergency, approved by order No. 1129 of the Ministry of Internal Affairs of Ukraine dated 31.10.2016 (hereinafter – Order of Interaction). If we briefly represent its content, it should be noted that the Order of Interaction also mentions the obligation to be able to coordinate the performance directly the special official tasks by subordinate police forces and means in the relevant territory (on the part of the management); and on the interaction of the police with local state authorities (military-civilian administrations), local self-government bodies; and on the exchange (correction, clarification) of calculations of forces and means involved in the joint performance of special official tasks, etc.

The Order of Interaction includes: informing territorial bodies (subdivisions) of the police about detected signs of a threat of occurrence or informing them about information of the real occurrence of emergency situations; participation in the protection of public order, ensuring road traffic safety, protection in accordance with the established procedure of state, communal and private property; providing assistance in the resettlement of people from places dangerous for living; participation in ensuring the implementation of a special transit regime on the borders of emergency situations; traffic regulation on evacuation routes, protection of public order at assembly and receiving evacuation points; protection of life and health of the policemen themselves from negative factors of emergency situations, etc. [3].

From the above, it can be seen that when police officers are involved in response measures and liquidation of the consequences of an emergency, they must perform in an organized and qualitative manner not only purely law enforcement (police) functions, but also tasks related to emergency rescue operations, providing first aid assistance to victims, timely detection of other associated threats (for example, gas leakage, uncontrolled sources of electric current, emergency state of technological structures or buildings, etc.). And

the above requires the police to possess special competencies in the field of civil protection (theoretical knowledge and relevant skills). It is not for nothing that the given Order of Interaction mentions the preparation of active policemen for implementation.

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Анотація

Надзвичайні ситуації, викликані протиправними військово-диверсійними діями росії в Україні призвели до загибелі та травмування більше 2,1 тис. мирних українських громадян. Особовий склад Національної поліції України активно долучається до заходів з реагування та ліквідації наслідків НС, викликаних військовою агресією. Від правильної організації дій поліцейських, безпосереднього виконання ними різноманітних заходів на місці події залежить їх особиста безпека, безпека інших сторонніх осіб, своєчасність врятування та надання необхідної допомоги постраждалим особам, забезпечення оптимальніших умов реалізації заходів з ліквідації наслідків рятувальними, медичними та іншими правоохоронними підрозділами (органами). Наведене вимагає від поліцейського володіння спеціальними компетентностями у сфері цивільного захисту (теоретичних знань та відповідних навичок). Наголошується, що така підготовка поліцейського має розпочинатися ще з його навчання у відповідних закладах вищої освіти зі специфічними умовами навчання (в якості курсанта) чи під час проходження первинної підготовки на відповідних курсах.

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OBSERVANCE OF HUMAN AND CITIZEN RIGHTS UNDER THE CONDITIONS OF MARITAL STATE

The task of the state to ensure the rights and freedoms of a person and a citizen acquires special importance in the period of martial law, when the normal functioning of society and the state itself becomes impossible. During the period of martial law, the priority for the state is the observance of human and citizen rights. After all, in our time, a person is the most important social value, which is why the protection of human and citizen rights is the primary task of the state. In connection with this, it became necessary to determine the peculiarity of the provision of human rights in the conditions of martial law. The source of ensuring individual rights is the Constitution of Ukraine. It is the Constitution of Ukraine that guarantees the observance of human and citizen rights and freedoms. In general, the issue of legal protection of human and citizen rights in conditions of negative factors is gaining special importance. That is why this work is devoted to clarifying the issue of observing human and citizen rights under martial law. Also find out the meaning of human and citizen rights in the conditions of a negative situation. Therefore, according to Article 1 of the Law of Ukraine "On the Legal Regime of Martial Law", martial law is a special legal regime introduced in Ukraine or in some of its localities due to armed aggression or threat of attack, danger to the state independence of Ukraine, its territorial integrity and provides granting the relevant state authorities, military command, military administrations and local self-government bodies the powers necessary to avert the threat, repulse armed aggression and ensure national security, eliminate the threat of danger to the state independence of Ukraine, its territorial integrity, as well as temporary, due to the threat, restriction of constitutional rights the rights and freedoms of a person and a citizen and the rights and legitimate interests of legal entities with an indication of the period of validity of these restrictions [1]. The state, as a national leader, enshrines human rights in law and ensures their implementation. Therefore, the only source that ensures human rights is the Constitution of Ukraine. In general, in the conditions of martial law, the rights and freedoms of a person and a citizen, specified in the second part of Article 64 of the Constitution of Ukraine, cannot be restricted. Article 64 of the Constitution of Ukraine states that in conditions of war or a state of emergency, separate restrictions on rights and freedoms may be established, specifying the period of validity of these restrictions. The rights and freedoms stipulated by Articles 24, 25, 27, 28, 29, 40, 47, 51, 52, 55, 56, 57, 58, 59, 60, 61, 62, 63 of this Constitution cannot be limited [2]. In Article 64 of the Constitution of Ukraine, rights and freedoms cannot be restricted even under the conditions of a state of emergency or martial law. The list of these rights reflects the state's desire to protect those rights and freedoms that must be ensured under any circumstances, including when a state of emergency or martial law is introduced. Even in difficult

conditions, the state tries to protect people's rights, which are enshrined in the most important legal act - the Constitution of Ukraine. Based on all of the above, it can be assumed that in the conditions of martial law, the state tries to ensure human and citizen rights at the highest level. The constitutional system of Ukraine is a system of social relations that is provided for, regulated and protected by the Constitution of Ukraine, i.e. the order established by its Basic Law and protects the state and society. The work examined that the Constitution of Ukraine protects human and citizen rights even under martial law. As a democratic, social, legal state, Ukraine will protect people's rights in the face of negative factors.

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Анотація

У тезах наголошено, що забезпечення прав і свобод людини і громадянина набуває особливого значення в період воєнного стану, коли нормальне функціонування суспільства і самої держави стає неможливим. В період воєнного стану пріоритетом для держави є дотримання прав людини і громадянина. Адже в наш час людина виступає найголовнішою соціальною цінністю, саме тому охорона прав людини і громадянина є першочерговим завданням держави.

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APPLICATION OF SCIENTIFIC METHODS AND TECHNIQUES IN SEARCH FOR MISSING PERSONS

According to the International Committee of the Red Cross (ICRC), the missing persons are “people unaccounted for as a result of armed conflict or internal violence” [1].

Worldwide, hundreds of thousands of families live in anguish as a consequence of a missing relative, struggling for their right to know about the whereabouts and fate of their loved ones. Regardless of their cultural, religious, and social background, the relatives of the missing usually coincide in expressing that the death of a family member – however painful – can be accepted; but not knowing the fate of a loved one is far worse than almost any other possible experience.

In the world, the International Commissions on Missing Persons (ICMP) provides the technical assistance program that is a global resource available to governments, and others engaged in addressing the issue of

persons missing as a result of armed conflict, natural disasters, human rights violations, organized violence and other causes [3].

ICMP's forensic archaeological and anthropological support forms an important part of ICMP's comprehensive scientific approach to the search, recovery and identification of missing persons. ICMP has supported thousands of field investigations and successfully solved thousands of cases.

The Archaeology and Anthropology Assistance Program supports the investigation of crime scenes and mass and other clandestine graves and provides assistance in the search for, recovery, documentation, examination and analysis of mortal remains and evidence through the following activities:

1. Desk based analysis and data integration to evaluate evidence and geo-spatial and temporal patterns to aid in locating possible sites for investigation;
2. Analysis of aerial imagery and on-the-ground investigations to pinpoint site locations;
3. Site investigations, including excavation, recovery and documentation of human remains and other evidence;
4. Examination and processing of human remains, including mortuary management, anthropological assessment, documentation and the taking of samples for DNA testing;
5. Case review for resolution of complex cases through the use of DNA matching, re-examination and follow-on analysis procedures; and
6. Integration of analysis results and findings to assist with on-going investigations and the effective identification and closing of cases [3].

In the case of finding missing person's remains, identification can be made in three ways as following [2]:

- 1) visually (relatives or acquaintances viewing the remains);
- 2) circumstantially (e.g., matching ante-mortem data with information gathered during the autopsy; other circumstantial information);
- 3) scientifically or objectively (e.g., by dental records, fingerprints or DNA).

It should be said that there are at present few formal standards designed for international practice in forensic science including the core disciplines of forensic pathology, anthropology, odontology and the others. There are no credential or qualifying procedures for forensic pathologists practicing internationally. There are some standards covering domestic practice. Probably American pathologists have gone the furthest in setting standards for different types of autopsies [4]. For instance, a major standard alongside the Minnesota Protocol is the Interpol Disaster Victim Identification Form Set [5]. So, it is recommended that these established documents be taken into account when developing standards of operational practice internationally. When developing standards of operational practice internationally, due attention should be paid to these established documents. The latter in particular has been

used countless times, has been constantly reviewed and has an established basis that is well understood by police forces around the world.

Given the importance attached to the competence of forensic scientists for the task, and the reliability and validity of their observations and conclusions, it is recommended that an international body or network of forensic scientists be established. No such global organization currently exists. The International Association of Forensic Science (IAFS) has the correct name, but its articles limit it to running an international conference every three years and any change in its constitution takes at least six years, as it must be approved at two subsequent meetings. Other organizations with transnational forensic and/or human rights interests would need to be consulted in establishing such a body or network.

Consequently, forensic science is widely recognized as an instrument of justice. In the case of missing persons, it has deep human capacity and skills that can assist survivors, affected communities and families, assist in justice, correct the historical record and deter future violations. Achieving these outcomes properly requires competent performance that produces effective results in specific cases. This requires standards to be established, accepted and adhered to.

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Анотація

Робота присвячена питанню застосування наукових методів і методик у пошуку зниклих безвісти людей, що є надзвичайно актуальним в умовах збройних конфліктів. Окреслюється діяльність Міжнародної комісії з питань зниклих безвісти та її програм технічної допомоги, способи ідентифікації у разі виявлення останків зниклого безвісти.

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OBSERVANCE OF CHILDREN'S RIGHTS BY LAW ENFORCEMENT AGENCIES OF UKRAINE UNDER MARTIAL LAWS

Children play a very important role in the construction and development of our country. That is why they need enhanced protection from the country. This is primarily due to the post-war devastation after World War II, where there were millions of victims, including a large number of children. In 1945 the United Nations was founded, one of the goals of which, according to the UN Charter, was to save future generations from the misery of war, which twice in our lives has brought unspeakable grief to humanity. We can clearly see how the UN emphasizes that this should never happen again. But on February 24, the Russian Federation committed aggression against Ukraine, which to this day is accompanied by grave crimes by Russian henchmen against humanity and common sense. On February 8, 2024, according to information from the Children of War platform, there are 523 dead children, and about 20,000 forcibly deported by the terrorist state. Such actions were authorized by the President of the Russian Federation, who is suspected of a crime against humanity [1,3].

According to the Universal Declaration of Human Rights, children have the right to special care and assistance. This also applies during the imposition of martial law, which restricts the realization of human rights. In 1990, Ukraine ratified the Convention on the Rights of the Child, thus confirming its international positive obligations in the area of children's rights. According to Article 3 of the Convention, States Parties undertake to ensure that a child has such protection and care as it is necessary for his or her well-being. According to Article 6 of the Convention, States Parties shall ensure to the maximum extent possible the survival and healthy development of the child [1].

One of the priority functions of our state is to optimize and develop the mechanism for protecting children's rights. Ensuring these rights during martial law becomes an extremely difficult task for the state because of the special role of such a vulnerable category of society. Ukraine currently has institutions that promote the observance of children's rights. For example, the Cabinet of Ministers of Ukraine approved the Regulation on the Coordination Headquarters for the Protection of Children's Rights under Martial Law by Resolution No. 309. The tasks of this headquarters are, in particular: 1) coordinating the actions of central and local executive authorities, local self-government bodies in organizing the evacuation of children; 2) making prompt decisions on the protection of children's rights; 3) coordinating the actions of central and local executive authorities in accommodating and meeting the needs of children evacuated to safe regions of Ukraine and those displaced to states of temporary stay. It is also interesting to note that this Coordination Center includes representatives of the following state

authorities: National Police, State Emergency Service, State Border Guard Service, Ministry of Education and Science, Ministry of Internal Affairs, Ministry of Foreign Affairs, etc. But today, this Coordination Headquarters is actually neglected, and these functions are being transferred from the state to international non-governmental organizations that provide children with the necessary housing, food, medicine, education, and leisure. However, the state needs to keep up this activity, because children are the engine of the country [5].

According to Article 28 of the Convention on the Rights of the Child, States Parties recognize the right of the child to education. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in accordance with the present Convention. Due to the armed aggression of the Russian Federation, many educational institutions have suffered, and therefore, Ukraine already has an institute of "educational security officers" which, in accordance with the Concept of Security of Educational Institutions, approved by Order No. 301-r of the Cabinet of Ministers of Ukraine, perform law enforcement functions on the territory of the respective school. These officers monitor access control, the entry of various substances and mixtures into the territory of the educational institution. The officer can also respond quickly to any threats that may occur on the territory of the institution, because we know that weapons and explosives are brought from "hot spots" to relatively peaceful cities and towns, which requires more attention from the state in terms of protecting children's rights. However, as of today, apart from this Concept, there are no other legal acts from the central government or the Verkhovna Rada that would define the limits of the powers of such a Protection Service, because working with children, in addition to psychological and educational skills, also requires a certain degree of certainty in compliance with the rule of law [2].

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Анотація

Дотримання прав дитини є основоположним та провідним завданням нашої держави, адже діти – цвіт нації та наше майбутнє. Саме тому, вони потребують особливої уваги та додаткового захисту з боку України. Також права дитини знаходяться під особливим контролем міжнародної спільноти. Перебуваючи в умовах збройної агресії російської федерації проти України, остання вдається до забезпечення прав та свобод дітей, створюючи допоміжні інституційні та нормативні механізми.

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