



**МІНІСТЕРСТВО ВНУТРІШНІХ СПРАВ УКРАЇНИ  
НАЦІОНАЛЬНА АКАДЕМІЯ ВНУТРІШНІХ СПРАВ**

**Кафедра правничої лінгвістики**



## **ЗАРУБІЖНИЙ ДОСВІД ПРОТИДІЇ ЗЛОЧИННОСТІ**

**Матеріали  
VI міжвузівської курсантської наукової конференції  
(Київ, 3 грудня 2020 року)**



**Київ  
2020**

МІНІСТЕРСТВО ВНУТРІШНІХ СПРАВ УКРАЇНИ  
НАЦІОНАЛЬНА АКАДЕМІЯ ВНУТРІШНІХ СПРАВ  
Кафедра правничої лінгвістики

## ЗАРУБІЖНИЙ ДОСВІД ПРОТИДІЇ ЗЛОЧИННОСТІ

Матеріали  
VI міжвузівської курсантської наукової конференції  
(Київ, 3 грудня 2020 року)

Київ  
2020

**Редакційна колегія:**

**Черней В. В.**, ректор Національної академії внутрішніх справ, доктор юридичних наук, професор;

**Гусарев С. Д.**, перший проректор Національної академії внутрішніх справ, доктор юридичних наук, професор;

**Чернявський С. С.**, проректор Національної академії внутрішніх справ, доктор юридичних наук, професор;

**Никифорчук Д. Й.**, начальник відділу організації наукової діяльності та захисту прав інтелектуальної власності Національної академії внутрішніх справ, доктор юридичних наук, професор;

**Галдецька І. Г.**, професор кафедри правничої лінгвістики Національної академії внутрішніх справ, кандидат юридичних наук, доцент;

**Корольчук В. В.**, провідний науковий співробітник відділу організації наукової діяльності та захисту прав інтелектуальної власності Національної академії внутрішніх справ, кандидат юридичних наук, старший науковий співробітник

*Рекомендовано до друку науково-методичною радою Національної академії внутрішніх справ від 19 жовтня 2020 року (протокол № 2)*

*Матеріали подано в авторській редакції. Відповідальність за їхню якість, а також відсутність у них відомостей, що становлять державну таємницю та службову інформацію, несуть автори.*

3-356 **Зарубіжний** досвід протидії злочинності [Текст] : матеріали VI міжвуз. курсант. наук. конф. (Київ, 3 груд. 2020 р.) / [редкол.: В. В. Черней, С. Д. Гусарев, С. С. Чернявський та ін.]. – Київ : Нац. акад. внутр. справ, 2020. – 283 с.

**УДК 343.9:351.74:341.4**

© Національна академія внутрішніх справ, 2020

## ЗМІСТ

### НАУКОВІ ДОПОВІДІ

<i>Андрейчик Д.</i> MODERN WAYS TO COMBAT CYBERBULLYING .....	11
<i>Бакарджієва М.</i> FOREIGN EXPERIENCE IN COMBATING ORGANISED CRIME .....	12
<i>Безрученко К.</i> THE WORK OF A POLICE DOG HANDLER .....	15
<i>Бондаренко Т.</i> MOUNTED POLICE IN GREAT BRITAIN .....	17
<i>Буковська О.</i> GENDER ASPECT IN THE POLICE .....	20
<i>Васюта Ю.</i> POLICE TRAINING RELATED TO COMBATING HUMAN TRAFFICKING: LONDON .....	22
<i>Вишневецький В.</i> MODERN METHODS OF USAGE DRONES IN POLICE .....	25
<i>Вірний О.</i> FOREIGN EXPERIENCE IN COMBATING HUMAN TRAFFICKING .....	27
<i>Воронін І.</i> SALISBURY POISON ATTACK – THE SEARCH FOR PERPETRATORS .....	28
<i>Галайко О.</i> INTERNATIONAL EXPERIENCE IN THE FIELD OF PREVENTING CRIMES .....	30
<i>Гац Д.</i> WILDNESS IN KYRGYZSTAN: BRIDE KIDNAPPING .....	33
<i>Герасимчук А.</i> CAUSES AND CONDITIONS OF CRIME AND MEASURES TO PREVENT IT .....	35
<i>Герасимчук М.</i> ZUR GESCHICHTE DER SCHWEIZERGARDE .....	38
<i>Гертичук Д.</i> CRIME PREVENTION: INTERNATIONAL EXPERIENCE .....	40
<i>Глобчак А.</i> BRITISH TRANSPORT POLICE .....	42

<b>Голомовзий О.</b>	
FOREIGN EXPERIENCE IN THE SPHERE OF UNDER AGE CRIMINAL COUNTERACTION AND THE PERSPECTIVES OF ITS ENFORCEMENT IN UKRAINE .....	45
<b>Гончар Н.</b>	
CRIMINAL LIABILITY OF MINORS IN UKRAINE.....	48
<b>Грабовська В.</b>	
LAW ENFORCEMENT IN THE UNITED STATES OF AMERICA .....	51
<b>Громазіна С.</b>	
SPEZIALEINHEITSPOLIZEI DER BRD GSG GRUPPE 9: GESCHICHTE UND GEGENWART .....	52
<b>Денисюк М.</b>	
WHAT IS KNOWN ABOUT AMERICAN YOUTH GANGS? .....	55
<b>Дзюба Ю.</b>	
CANADA: CYBER THREATS AND WAYS TO PREVENT THEM .....	57
<b>Дідовець Я.</b>	
HOW TO PROTECT YOURSELF FROM INTERNET FRAUD.....	60
<b>Драган Д.</b>	
COMBATING CORRUPTION IN FOREIGN COUNTRIES.....	61
<b>Дубина А.</b>	
STANDARDS OF THE FBI ACADEMY IN THE USA.....	64
<b>Думан Р.</b>	
ANTI-CORRUPTION METHODS IN THE POLICE SYSTEM.....	65
<b>Дячук Н.</b>	
CYBERSAFE IN CANADA .....	69
<b>Євсєєнкова К.</b>	
UNITED NATIONS OFFICE ON DRUGS AND CRIME ON MONEY-LAUNDERING .....	71
<b>Желнова О.</b>	
THE EXPERIENCE OF CONTROLLING STREET DRUG TRAFFICKING IN OAKLAND AND BIRMINGHAM.....	74
<b>Жигадло М.</b>	
INTERNATIONAL EXPERIENCE IN COMBATING ORGANIZED CRIME IN THE ECONOMIC SPHERE .....	75
<b>Жулкевська О.</b>	
CRIME RATE IN THE PHILIPPINES .....	78

<b>Заболотна А.</b>	
FIGHTING CYBERCRIME IN FOREIGN COUNTRIES .....	80
<b>Закомірна І.</b>	
CRIMINAL LAW AND EXPERIENCE OF ITS INTERNATIONAL APPLICATION .....	83
<b>Закутня Ю.</b>	
THE NETHERLANDS: COUNTRY OF VICTIMS OF TRAFFICKING IN HUMAN .....	86
<b>Іванова О.</b>	
THE ROLE OF THE POLICE IN DOMESTIC VIOLENCE AND ABUSE.....	88
<b>Качковський В.</b>	
COMBATING CORRUPTION: USA EXPERIENCE .....	90
<b>Кізюн Д.</b>	
THE USE OF FORCE AGAINST PERPETRATORS OF INTERNATIONAL TERRORISM.....	93
<b>Клімова У.</b>	
COMBATING FINANCIAL CRIME.....	95
<b>Козут Є.</b>	
AUSTRIAN EXPERIENCE IN COMBATING DOMESTIC VIOLENCE .....	96
<b>Кожан Ю.</b>	
LA LUTTE CONTRE LE TRAFIC DE STUPÉFIANTS EN FRANCE.....	98
<b>Колесник А.</b>	
CYBERCRIME DURING THE COVID-19 PANDEMIC .....	100
<b>Костюк Ж.</b>	
INTERNATIONAL STANDARDS OF POLICING .....	104
<b>Кузнецов І.</b>	
3D PRINTING METHOD AS A METHOD OF MODERN WEAPON MANUFACTURE .....	105
<b>Кукса Ю.</b>	
INFORMATION SECURITY IN INDIA .....	107
<b>Левковець А.</b>	
PROBLEMATIC ISSUES OF DETERMINING MISCONDUCT IN THE CRIMINAL LAW OF UKRAINE .....	109

<b>Левченко Я.</b>	
EXPERIENCE OF POLICE STAFF TRAINING IN FOREIGN COUNTRIES .....	111
<b>Лінчевська А.</b>	
SUCCESSFUL EXPERIENCE OF TURKEY, CANADA AND G7 IN COUNTERING ORGANIZED CRIME .....	113
<b>Лось Ю.</b>	
DRUG SMUGGLING TO THE UNITED STATES BY PLANE ...	116
<b>Мазур Е.</b>	
FIGHT AGAINST ORGANIZED CRIME IN EUROPE .....	118
<b>Мазур М.</b>	
LA LUTTE CONTRE LA CYBERCRIMINALITÉ.....	120
<b>Максименко О., Титаренко К.</b>	
ACTIVITIES OF THE POLISH POLICE IN COMBATING JUVENILE DELINQUENCY .....	121
<b>Марков М. М., Калашник В.</b>	
THE ROLE OF INTERPOL IN THE FIGHT AGAINST CRIME.....	124
<b>Мартинюк Д.</b>	
TECHNOLOGIES THAT TRANSFORM LAW ENFORCEMENT .....	126
<b>Марценюк Ю.</b>	
ARREST PROCEDURES IN CANADA .....	128
<b>Мельничук Н.</b>	
FIGHT AGAINST AND PREVENTION OF CRIME IN ISRAEL.....	131
<b>Микитюк І.</b>	
COMBATING DOMESTIC VIOLENCE IN BANGLADESH .....	134
<b>Миколаєнко А.</b>	
ABOUT THE PROBLEM OF HUMAN TRAFFICKING .....	136
<b>Миронюк Р.</b>	
CRIME AND VIOLENCE PREVENTION IN BRAZIL .....	138
<b>Миронюк Т.</b>	
OBJECTS OF PREVENTION AND RESPONSE TO DOMESTIC VIOLENCE .....	141
<b>Москальченко О.</b>	
EUROPEAN EXPERIENCE IN PREVENTION CRIMES .....	143

<b>Нагорна А.</b>	
FOREIGN EXPERIENCE IN COMBATING CRIME .....	145
<b>Негода-Збанацька І.</b>	
FBI – HISTORY AND TASKS .....	147
<b>Нерез В.</b>	
ISRAELI EXPERIENCE IN COMBATING TERRORISM .....	150
<b>Носова А.</b>	
COMBATING ORGANIZED CRIME IN THE WORLD .....	152
<b>Олійник В.</b>	
HANS GUSTAV ADOLF GROSS – BEGRÜNDER DER FORENSISCHEN WISSENSCHAFT .....	155
<b>Павлова А.</b>	
THE PROBLEM OF INTERNATIONAL FIGHTING DRUG ABUSE .....	157
<b>Панченко В.</b>	
A CRITICAL LOOK AT INTERNATIONAL PROTECTION OF ONLINE PRIVACY .....	159
<b>Патраманська І.</b>	
COMBATING DOMESTIC VIOLENCE IN THE UK .....	160
<b>Первак В.</b>	
FOREIGN EXPERIENCE IN COMBATING DRUG TRAFFICKING IN AFGHANISTAN .....	162
<b>Под'ячев Д.</b>	
SHERLOCK HOLMES VON FRANKREICH: EDMOND LOCARD .....	164
<b>Пословська Т.</b>	
KIDNAPPING: EXPERIENCE OF THE COUNTRIES OF THE EUROPEAN UNION AND UKRAINIAN REALITIES..	166
<b>Проценко А.</b>	
COMBATING VIOLENCE IN SOUTH AFRICA.....	169
<b>Прядка В.</b>	
MILITARY POLICE ON BUFFALOS .....	171
<b>Пряха А.</b>	
THE FEATURES OF THE US POLICING .....	173
<b>Радченко О.</b>	
INTERACTION PUBLIC AND POLICE IN CRIME PREVENTION: FOREIGN AND UKRAINIAN EXPERIENCE ...	175
<b>Ражик А.</b>	
SYSTEMS THAT OVERCOME CRIME .....	177



<b>Ратошнюк А.</b>	
TURKEY'S EFFORTS IN COMBATING ORGANIZED CRIME .....	179
<b>Ренік І.</b>	
FIGHT AGAINST FOOTBALL HOOLIGANS .....	181
<b>Романова Ю.</b>	
MODERN WAYS OF SEARCHING FOR MISSING PERSONS IN THE UNITED STATES .....	183
<b>Романюк А.</b>	
VIOLENCIA DOMESTICA EN ESPAÑA .....	185
<b>Рукоманова Д.</b>	
ON ORGANIZATION OF THE PROOF PROCESS IN ENGLISH CRIMINAL PROCEEDINGS .....	186
<b>Ряба А.</b>	
TERRORIST INCITEMENT ON THE INTERNET .....	188
<b>Савчук А.</b>	
MODERN MECHANISMS FOR ENSURING INFORMATION SECURITY (FOREIGN EXPERIENCE) .....	190
<b>Саліонова О.</b>	
CRIME PREVENTION IN DENMARK .....	192
<b>Сарібекаєн Ю.</b>	
VIOLATION OF CONSTITUTIONAL RIGHTS DURING THE APPLICATION OF PRECAUTIONS AND CERTAIN TYPES OF NSDS .....	195
<b>Свистіль С.</b>	
POLICE FIGHT WITH BULLYING IN UKRAINE .....	197
<b>Силаді А.</b>	
GENDER ISSUE IN LAW ENFORCEMENT AGENCIES .....	199
<b>Сіренська Д.</b>	
COMBATING ILLEGAL MIGRATION IN THE UNITED KINGDOM.....	200
<b>Скуйбіда К.</b>	
CURRENT PROBLEMS IN THE FIGHT AGAINST CORRUPTION AND SOME POSSIBLE SOLUTIONS: USA .....	202
<b>Слепко Б.</b>	
WHITE-COLLAR CRIME IN THE USA .....	204
<b>Слюсар Л.</b>	
THE INTERNATIONAL CRIMINAL COURT: POWERS AND JURISDICTION .....	206

<b>Сокирко М.</b>	
STRATEGIES FOR COMBATING CRIME IN AFRICA: THE GHANAIAAN EXPERIENCE .....	208
<b>Сологуб В.</b>	
VIOLENCE AGAINST CHILDREN INSIGHTS IN CHILDREN'S RIGHTS .....	211
<b>Сом К.</b>	
COMMUNITY POLICING AS A CONSEPT OF COOPERATION BETWEEN CITIZENTS AND THE POLICE .....	212
<b>Степанко Е.</b>	
TRANSNATIONAL ACTIVITIES OF CHINESE CRIME ORGANIZATIONS.....	215
<b>Степанова Д.</b>	
THE ROLE OF THE DISTANCE EDUCATION IN LEARNING PROCESS .....	218
<b>Стещенко О.</b>	
CERTAIN ASPECTS OF EXPERIENCE OF FOREIGN COUNTRIES IN COMBATING CRIME .....	220
<b>Стукало Н.</b>	
FOREIGN EXPERIENCE IN THE FIELD OF COMBATING JUVENILE CRIME .....	222
<b>Ступницький В.</b>	
MARITIME PIRACY IN THE WORLD.....	225
<b>Терещеня А.</b>	
FIGHTING CORRUPTION IN THE USA.....	227
<b>Тертичний Б.</b>	
THE UNITED STATES' MULTIDIMENSIONAL APPROACH TO COMBATING CORRUPTION.....	229
<b>Тітаренко К.</b>	
ONLINE DATING (ROMANCE) SCAMS.....	231
<b>Трохименко К.</b>	
CRIME PREVENTION IN BRAZIL.....	232
<b>Туровець Б.</b>	
PREVENTION OF TERRORISM IN THE FEDERAL REPUBLIC OF GERMANY .....	235
<b>Фазан В.</b>	
THE CENTRAL ROLE OF HUMAN RIGHTS AND STATE OBLIGATIONS WHEN COUNTERING TERRORISM .....	239

<b>Фазан В.</b>	
MISDEMEANOUR: HISTORICAL BACKGROUND .....	241
<b>Федіна О.</b>	
PREVENTING CORRUPTION AND BRIBARY IN NEW ZEALAND.....	242
<b>Хандій К.</b>	
PROVIDING INFORMATION SECURITY.....	244
<b>Хмелюк Ю.</b>	
CORRUPTION IN POLICE FORCES AND FIGHTING IT IN THE WORLD .....	247
<b>Черних Т.</b>	
COMMUNITY POLICING: LAW ENFORCEMENT BEST PRACTICES .....	249
<b>Чечель С.</b>	
THE ROLE OF UKRAINE IN COMBATING TRAFFICKING IN PERSONS. INTERNATIONAL EXPERIENCE.....	252
<b>Чухрай Д.</b>	
IRELAND: STATISTICS ON CRIMES.....	253
<b>Шахрай Д.</b>	
COUNTERING THE GAMBLING BUSINESS .....	256
<b>Шевчук Ю.</b>	
CRIMES AGAINST CHILDREN .....	259
<b>Шупик О.</b>	
COVID-19 A BIOLOGICAL WEAPON? .....	261
<b>Щур С.</b>	
THE USA EXPERIENCE IN COMBATING CYBER-CRIME .....	264
<b>Югас О.</b>	
ORGANIZED CRIME IN JAPAN .....	267
<b>Юхименко К.</b>	
SUPPORTING OF LAW ENFORCEMENT AGENCIES .....	270
<b>Явтушенко О.</b>	
COMBATING ECONOMIC CRIMES.....	273
<b>Яремчук Я.</b>	
HUMAN TRAFFICKING IN UKRAINE .....	276
<b>Ярмішко М.</b>	
TYPES OF PUBLIC CORRUPTION .....	278
<b>Яценко Т.</b>	
COMBATING JUVENILE DELINQUENCY IN UKRAINE .....	281

*Андрейчик Д.*, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Скрипник М.**

### MODERN WAYS TO COMBAT CYBERBULLYING

Internet technology has become an integral part of modern society. At the age of 3, kids watch cartoons on YouTube on their own, and first-graders search for the necessary information with the help of Google, communicate on social networks. However, the popularity of Internet resources in addition to the positive aspects of quick access to the necessary information, has led to an increase in the number of violations and the spread of inaccurate and confidential information.

Unfortunately, most children do not have information about the dangers of the Internet and do not have an established online culture. Therefore, they often do not understand how they can protect themselves from cyberbullying. And parents and teachers, in turn, do not know how to react to this [1].

What is cyberbullying? Cyberbullying is the latest form of aggression, which involves violent actions to annoy, harm, humiliate a person using information and communication tools: mobile phones, e-mail, social networks and more. How to detect signs of cyberbullying? Cyberbullying has several manifestations, none of which can be ignored:

- sending threatening and offensive content of text messages;
- demonstrative removal of children from communities on social networks, from online games;
- creating groups of hatred for a particular child;
- a proposal to vote "for" or "against" someone in an offensive poll;
- distribution (spam) of pornographic videos and photos;
- provoking adolescents to suicide or self-mutilation (this may be a death group such as "Blue Whale").

Trust will help protect against cyberbullying. Exactly! Establish a friendly relationship with the child so that she is not afraid to tell you everything that happens to her. However, do not forget about parental control. Do this carefully, taking into account the age characteristics of children (for younger – limit access to questionable sites, for older - from time to time view the browser history). Warn against transmitting information online. Explain that there are things that are not talked about with outsiders: last name, phone number, address, place and time of work of parents, attendance at school and clubs – should be kept secret. Learn to be critical of information on the Internet.

The United States, for example, is working extremely productively on this issue. To date, no federal law has been enacted to guarantee protection against cyberbullying, but each of the 50 states has legislation

that regulates cyberbullying in some way. In the 20 states, criminal liability for cyberbullying is provided. The main mechanism through which they propose to implement the provisions of the legislation is educational institutions. In every state except Montana, the law empowers school administrations to identify cyberbullying cases and form formal and / or informal disciplinary action against cyber-aggressors.

In 15 states, this influence extends to out-of-school behavior. In some states, such as Colorado, the law requires school administrations to adopt so-called safety codes ("SafeSchoolPlan"), which will include all measures and measures of responsibility that the school will apply to combat cyberbullying.

The danger of cyberbullying is exacerbated by the specifics of the Internet environment: anonymity, the ability to falsify identity, to have a huge audience at the same time, terrorizing the victim anywhere and anytime. Where to go for help? The Cyberpolice Department of the National Police of Ukraine is an interregional territorial body of the National Police of Ukraine.

#### **Список використаних джерел**

1. UN Police Gender Initiatives. URL:  
<https://www.ukrinform.ua/rubric-society/2702033-diti-onlajn-ak-uberegiti-vid-kiberbulingu.html>.
2. "For Women in Blue, a Grim Measure of Their Growing Role and Risks". The New York Times. URL:  
<https://www.nytimes.com/2017/07/10/nyregion/women-police-officers-role-risks.html>.

*Бакарджієва М.*, курсант Національної академії внутрішніх справ  
**Консультант з мови: Василенко О.**

### **FOREIGN EXPERIENCE IN COMBATING ORGANISED CRIME**

Ukraine has stated its desire to join the European Community of Developed Democracies, which is characterized by a high level of security, prosperity and living standards, as well as the priority of human rights, the rule of law and the need to punish those responsible. Strengthening democratic institutions is impossible without reducing the negative effects of corruption and organized crime, which currently remain one of the most significant threats in our country. That's why foreign experience in countering crime is an important topic needs to be explored this particular topic.

There has long been an urgent need in Ukraine to develop an effective strategy for the prevention of organized crime, taking into account the positive foreign experience and European policy against organized crime.

To clarify various aspects of specific activities aimed at influencing crime, including reducing its volume, in the Ukrainian criminological literature, as well as in various regulations, several terms are used: "fight", "counteraction", "prevention", "control".

As defined by the Council of the EU on 28 May 2001, Prevention is an activity that includes all measures that help to reduce crime and reduce the sense of danger (quantitative) in citizens, both quantitatively and qualitatively, directly by refusing from crime or by taking measures and measures to reduce crime. Activities, as well as the impact on the causes of crime. This practice includes the work of the government and other relevant bodies, the criminal justice system, local authorities, associations of private sector professionals, volunteers, researchers and the public with the support of the media.

As for the individual components of the theory of prevention abroad, the main areas are social prevention, rehabilitation approach, situational prevention, law enforcement strategies aimed at early detection and punishment of criminals.

As for the preventive approach, nowadays more and more different countries are starting to develop and implement non-traditional measures to prevent organized crime. The main area includes prevention activities, which include various programs designed to influence communities (for example, providing citizens with information on various losses and risks caused by organized crime, the introduction of hotlines; participation in various NGOs). Increased participation of citizens in various prevention programs is a powerful anti-criminogenic factor.

The decisive element in the fight against the mafia is education. To defeat the mafia, you need a real cultural revolution, and you need to rely on public support. For example, in Palermo, 25,000 children annually attend an educational program aimed at changing such cultural norms that allow the mafia to spread. The training has both a short-term effect (affects the activity of reports of crimes that become known to citizens) and a long-term effect (reducing the desire to participate in or help criminal organizations).

A positive example of a shift in people's consciousness, rather than economic factors, in positive developments in the fight against organized crime is Italy. In the 70-80s of XX century, few politicians, administrators, journalists, and public figures fought against the mafia. Representatives of the church were among them. One of them, the Italian Jesuit B. Sorge, became a legend for this country more than 30 years ago (after working as the editor-in-chief of the magazine, he left journalism and was sent to Sicily with a missionary task - to help liberate the island from the mafia). According to this religious figure, the mafia is, first of all, a cultural phenomenon, a phenomenon of mentality; you can change the culture and mentality through cultural institutions, such as schools.

An important component of the regulatory approach is efforts to identify organized crime related to money laundering. Another aspect is that the regulatory potential of local authorities, environmental agencies, etc. is

used. It is aimed at destroying the "business" of organized criminals, by complicating the procedure for obtaining the necessary licenses, buying real estate, establishing funds and more. The involvement of the private sector in such activities is important.

It is these aspects of the prevention of organized crime, in particular transnational, that are reflected in the UN Convention against Transnational Organized Crime.

In 2004, the Council of Europe published a "Review of Exemplary Practices in Combating Organized Crime" (BPS), prepared by the Group of Specialists in Criminal Law and Criminological Aspects of Organized Crime.

The eight most effective strategies for combating organized crime (from the point of view of experts) were selected and implemented in different countries. These are: witness protection, shifting the burden of proving the legal origin of confiscated property to the offender, eavesdropping on communications and electronic surveillance, analysis of crime by studying its patterns and trends, international cooperation, criminalization of participation in an organized group in substantive law, cooperation in the field of combating trafficking in human beings, precautionary legal measures (the so-called administrative approach).

So, we should say in conclusion that coming from the European experience, the strategic directions of combating organized crime in Ukraine are actions aimed at activating all parts of civil society, decriminalization of cultural norms and consciousness of a significant segment of citizens, influencing the motivation of potential criminals, reducing organized crime, directing state and society efforts. All these measures increase the risk for the offender to be caught and punished, complicate the commission of crimes, reduces the proceeds of crime, and reduces the incentives for criminal activity.

#### **Список використаних джерел**

1. Council Resolution on the Prevention of Organised Crime with Reference to the Establishment of a Comprehensive Strategy for Combating it // Official Journal C408/1-408/4, 29 December 1998. 22 p.

2. Шостко Е. Ю. Теоретические предпосылки разработки и реализации программ предупреждения преступности несовершеннолетних в США спец. 12.00.08 «Уголовное право и криминология; уголовно-исполнительное право» / Е. Ю. Шостко. Х., 1997. 205 с.

3. Levi M. The Preventative Control of Organised Crime in Europe: The Emerging Global Paradigm / International Key issues in Crime Prevention and Criminal Justice. Helsinki 2006. Publication Series. № 50. P. 92–105.

4. Aromaa K. European Experiences in Preventing Organised Crime: Field Studies of Best Practices by a Council of Europe Expert Group // European Institute for Crime Prevention and Control, affiliated with the United Nations. 2006. № 50. P. 13–33.

**Безрученко К.**, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Марченко І.**

## **THE WORK OF A POLICE DOG HANDLER**

Police dog handlers are members of specialized units in law enforcement that work with canine counterparts to accomplish tasks such as apprehending criminals and detecting explosives, contraband, and drugs.

Searching and tracking are the main tasks of police dogs. A single police officer is no substitute for a police dog, as dogs are able to search more rapidly and efficiently and often in very constricted places. A dog's nose is one of the most precise and effective items of equipment available to the police. A trained sniffer dog's nose can detect 10-year-old smells and is approximately 2,000 times more accurate than a human's nose [2].

Police forces use a wide range of breeds of dogs for a variety of policing duties. The specific breed of dog often impacts the type of work which they will be trained to respond to. Listed below are some of the most common breeds which are currently being trained as police dogs in Britain:

- German Shepherd;
- Rottweiler;
- Giant Schnauzer;
- Labrador;
- Belgian Shepherd;
- Springer Spaniels;
- Weimaraners;
- German Short-Haired Pointers [1].

To be a successful dog handler you will need patience and confidence as well as being comfortable working independently with your dog. Being a dog handler is a physically challenging job where you will need to be able to keep up with your dog during tough training sessions where a lot of walking and running is common practice. . This occupation also has a higher-than-average rate of on-the-job injury. They can also expect to be offered or assigned overtime.

To become a police dog handler, you will usually need at least three years' experience of police work before being able to transfer to the dog section. The job could also mean you encounter difficult terrains and weather conditions working outside in the elements. There is an element of running and lifting your dog over fences, often whilst wearing boots and body armour, so you must maintain a suitable level of fitness. The hours can be long and variable, and include weekends, evenings and nights. In all services shifts are worked on a rota that covers 24 hours, seven days a week [3].

Applicants for a police dog handler position may have to complete oral and performance tests as part of the application process. Police dog handlers participate in a formal training period with the dog to which they are assigned. This training may include search, detection, and tracking



activities. After the formal training is over, handlers usually continue ongoing training with their dogs on a regular basis to maintain skills and learn new procedures.

The dogs live at home with their handlers, so you need to have a stable home life and if you have a family they would need to agree to have a working dog lives in the home. You are responsible for looking after, feeding and keeping the dogs under control. Police dog handlers are issued specialized training and practice tools like a bite suit.

The main functions of the police dogs are:

- searching for evidence
- guarding prisoners
- controlling a crowd, perhaps at a football match;
- searching for explosives or illegal drugs
- searching for a missing person
- tracking a criminal who may be carrying a knife, gun or other

weapon

For example, specialised police dog is the drug detection dog. These dogs are specifically trained to search a place, building, or individual for the scent of certain types of drugs. By focusing on one particular scent, it enables the police dog to be more effectively trained, and therefore perform to a higher standard when on duty.

In many countries, these types of dogs are used in airports to sniff the baggage/people passing through airport security, in order to detect illegal substances. They are often trained to follow a simple command to indicate that they have found something. For example, they often sit down if they detect any illegal substances.

Or specialist dog is the explosive detection dog. These dogs are trained to detect the scent of explosives. Today these dogs work very closely with the bomb disposal team. They are an essential part of the police force [4].

So, police dogs – is a highly trained animal – are crucial to a police officer's work. A competent police dog exhibits the ability to expertly follow a human scent; this skill enables the police to quickly locate anyone who may be lost or hiding. Large crowds, especially those who may exhibit volatile or potentially criminal behaviour are an ideal place for police dogs to be visible, because they deter possible incidents from occurring.

Police dog handler is one of the most exciting and challenging careers that an individual can undertake within the police force. They must be prepared to exercise and care for the dog whilst off duty.

#### **Список використаних джерел**

1. College policing. Dog Handler. URL: <https://profdev.college.police.uk/professional-profile/dog-handler> (дата звернення 06.09.2020).

2. «HOW2BECOME». HOW TO BECOME A POLICE DOG HANDLER IN 2020. URL: <https://www.how2become.com/careers/police-dog-handler> (дата звернення 06.09.2020).

3. The College of Animal Welfare Limited . «The College of Animal Welfare Limited». 2020, Cardiff,Wales. URL: <https://www.caw.ac.uk/careers/dog-handler> (дата звернення 06.09.2020).

4. Police dog handler. National Careers Service in the United Kingdom. 2020. URL: <https://nationalcareers.service.gov.uk/job-profiles/dog-handler> (дата звернення 06.09.2020).

**Бондаренко Т.**, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Марченко І.**

## **MOUNTED POLICE IN GREAT BRITAIN**

Mounted police are police who patrol on horseback. Their day-to-day function is typically picturesque or ceremonial, but they are also employed in crowd control because of their mobile mass and height advantage for crime prevention and high visibility policing roles. The added height and visibility that the horses give their riders allow officers to observe a wider area, but it also allows people to see and fine the officers when needed, which helps deter crime. Some mounted police units are trained in search and rescue due to the horse's ability to travel where vehicles cannot. If a horse could have a mission statement it would be 'Act first, think later.' For thousands of years, the horse's greatest protection has been his ability to move out of the way of danger – and quickly.

Mounted police are most often seen at football matches, although they are also a common sight on the streets of many towns and cities as a visible police presence and crime deterrent during the day and night.

The use of horses by the police force goes back to the eighteenth century – to the very roots of police work in London. Their history began in 1760 when Sir John Fielding, the Bow Street magistrate, developed a plan for mounted patrols to deal with the plague of highwaymen infesting the metropolitan area's turnpikes. The plan was so successful that the original Horse Patrol of eight men was strengthened to more than 50 in 1805. The Bow Street Horse Patrol could then provide protection on all main roads within 20 miles of Charing Cross. Their scarlet waistcoats, blue greatcoats and trousers and black leather hats and stocks, were the first uniform issued to any police force in the world [3].

With the coming of the railways, the need for Mounted Bow Street officers to protect travellers against the depredations of the highwayman on the roads ceased. Around this time rural unrest and poverty were leading to more and more livestock thefts in the countryside and the men and their horses were given this task. These patrols were looked on as so dangerous that the Officers carried a revolver and sword.

The modern day organisation of today's Mounted Branch began in 1919 when Lt Col Laurie, the ex-Commanding officer of the Royal Scots Grey Regiment, took up the appointment of Assistant Commissioner in the

Metropolitan Police. One of his responsibilities was to reorganise the Mounted Branch. It was here that the new Mounted Branch was to emerge, trained in riding and horse management with new crowd control tactics that still largely hold to this day. Police officers from all over the world have been trained here along with the regular intake of eager recruits. It was here in 1971 that WPCs Margaret Goodacre and Ann McPherson were to make history as the first women police officers to join the Mounted Branch.

Imber Court today has facilities for the training of both horses and officers. It also houses a small museum documenting the development of Mounted Police and is the administrative centre for the Mounted Branch.

For the most part, the life of a police horse is pretty good. However, a police horse must have a foundation that not only allows his human partner to enforce the law but is a true partner in that process. Whether the horse needs to hold an excited crowd or gallop down the street after a criminal. He must be responsive to his rider and desensitized against the environment around him. Police horses with their rider's permission, push against people, normally horses are trained to give way to us, but these horses must be able to push against people when that is their duty.

Most of the horses originate from Ireland and are chosen from a selection of sources that know the requirements of the Police force. A half or three-quarter bred animal has been found to be best suited to police work, combining the spirit of a Thoroughbred with the strength and stability of the Draught. The training at Imber Court is individualized for each horse, and usually lasts six months, although it can take up to two years to completely desensitise a young horse.

The tack used by mounted police is similar to standard riding tack, with adaptations for police use. Synthetic saddles are often favoured over those made of natural leather to reduce weight. This is important both because of long riding hours and because police officers must carry numerous articles of personal equipment. High-traction horseshoes made of speciality metals or fitted with rubber soles are typically used in urban areas in place of standard steel horseshoes, which are prone to slip on pavement. Rubber soled shoes also produce less noise than steel shoes and jar the hoof less. Horses working in riot control wear facial armour, made of Perspex so that the animals can still see. The officers themselves are often equipped with especially long wooden or polycarbonate batons for use on horseback, as standard patrol batons would have insufficient length to strike individuals at ground level.

Specific objectives of training include creating a generally user-friendly horse, free of any unsafe behaviours (barging, bolting, striking, kicking, and biting). He should be fully experienced and acclimated to specific environments and situations related to police work, and he should be bold and accepting of novel and/or aversive stimuli and situations, even those considered challenging for trained horses. These horses should be able to work alone with one rider or handler, and work with a team involving

other horses and handlers and/or colleagues with bicycles, motorcycles, emergency vehicles, or police dogs.

The horses will normally retire somewhere between 18 and 20yrs of age and arrangements are always made to find a final long term home for them. After the horses have honorably served their city, they are eligible for adoption. Due to unforeseen medical issues, horses can be retired due to additional factors. While they may not be eligible to be a Mounted horse, often they still have many good years left to enjoy as a pleasure horse or pasture pet [1].

The deployment of police horses has a positive effect on public reassurance and helps keep people safe. In the first year of Police Scotland the mounted branch undertook 268 deployments, attended 162 football matches, 31 public gatherings and 13 public order events right across - Scotland. This provides the police with new evidence suggesting that mounted units still have great utility in modern policing, particularly in neighbourhoods [4].

Mounted Police Officers work as part of the emergency services to provide police support where it may be more effective than police officers on foot. There are 13 Mounted Sections throughout the UK, thus opportunities both for police officers and police staff in this career are sought after.

A mounted officer's responsibilities include liaising with rural and urban communities and support a variety of initiatives including safeguarding, educating and building the public's trust and confidence with the help of the horses calming, impressive and engaging qualities. Mounted Police are also used to police situations which attract large crowds such as sporting, music and cultural events as well as policing demonstrations and situations of disorder due to their height, visual presence and unique maneuverability. Some forces use their Mounted Police for Ceremonial duties which range from escorting royalty to ceremonial military and traditional movements. A mounted officer would also be responsible for the care of tack and equipment, turn out to a high specification and general care and husbandry of their mounts [2].

#### **Список використаних джерел**

1. URL: <https://www.hay-net.co.uk/police-horses/#:~:text=The%20use%20of%20horses%20by,infesting%20the%20metropolitan%20area's%20turnpikes>. (дата звернення 17.09.2020).
2. URL: <https://www.rand.org/randeurope/research/projects/mounted-police-uk.html> (дата звернення 17.09.2020).
3. Edington Village Wiltshire. 2020. URL: <https://edingtonwiltshire.org.uk/july-and-august-2013> (дата звернення 17.09.2020).
4. RAND Europe. Assessing the Value of Mounted Police Units in the UK. 2020. URL: <https://www.rand.org/randeurope/research/projects/mounted-police-uk.html> (дата звернення 17.09.2020).

**Буковська О.**, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Скринник М.**

## **GENDER ASPECT IN THE POLICE**

“Gender policing, like race based policing, has always been part of this nation’s bloody history.” – TransJustice, Call to First Annual Trans Day of Action for Social and Economic Justice, 2005.

Pursuing gender equality is both an international legal obligation and necessary to achieve national development goals. For police services, integrating a gender perspective is fundamental to protect rights in the workplace, and make policing more effective, societies safer and the rule of law stronger. This is because achieving gender equality ultimately prevents violence, protects the rights of all people and enables everyone to contribute meaningfully to public life.

Integrating a gender perspective into policing more effectively provides safety and access to justice for all. Men, women, boys and girls face different safety concerns because they experience different crimes, in different locations, perpetrated by different offenders. Table 1 illustrates gendered forms of violence, although there is of course overlap, with people experiencing crimes across these categorizations. Gender is not the only determinant of insecurity, and intersectionality must be considered to take account of how other factors –such as sexual orientation, gender identity and expression, ethnicity, religion, class, age and physical and mental ability – also shape people’s experiences. Thus a person of a minority background, of a lower class or with a disability will have different security experiences than a person who shares their gender but not their other characteristics. A gender perspective brings to light the different security needs of different groups within the community, and supports the development of more relevant and effective policing strategies.

	<b>Crimes more commonly experienced</b>	<b>Location of crimes</b>	<b>Perpetrators</b>
Men	Violent assault; robbery; homicide; gang violence; street violence; rape in detention facilities; conflict-related sexual violence	Residential settings; public spaces; detention facilities	Usually unknown to the survivor; commonly male

Women	Harassment; “Eve teasing” (harassment of women); common assault; domestic violence; stalking; sexual violence (which can include rape, forced pregnancy or abortion, forced sterilization, sexual exploitation, human trafficking for sexual exploitation and conflict-related sexual violence); harmful traditional practices (such as dowry-related violence, honour crimes, early or forced marriage and female genital mutilation); revenge pornography	Private homes; public spaces	Usually known to the survivor; often an intimate partner; commonly male
LGBTI persons	Homophobic hate crimes; verbal abuse; violent assault; psychological abuse	Public spaces	Usually unknown to the survivor; commonly male
Girls	Eve teasing; domestic violence (child abuse); sexual assault and rape; abduction; trafficking; sexual exploitation; incest; harmful traditional practices (e.g. genital mutilation, early marriage, honour crimes and infanticide); human trafficking; upskirting; online grooming; revenge pornography	Private homes; public spaces	Usually known to the survivor; often a family member or family friend; commonly male
Boys	Domestic violence (child abuse); sexual assault and rape; abduction; gang violence; human trafficking; online grooming	Private homes	Usually known to the survivor; often a family member or family friend; commonly male

Making people safer by addressing their unique security needs can contribute to gender equality. Women and girls who experience, or are threatened with, violence are more likely to drop out of school, and to be less economically independent and more socially isolated. The negative effects of hate crimes on LGBTI people do not only cause psychological trauma for the victim, but can also lead to the wider LGBTI community feeling isolated. Conversely, where people feel safe, they are able to use their skills and talents to participate in and contribute to society.

Sometimes police enforcement of the gender binary – the notion that there are only two genders, male and female, with specific conduct and appearance mandated for each – is obvious.

For instance, up until just a few decades ago, cops used to enforce what were known as “sumptuary laws,” which required individuals to wear “gender appropriate” clothing, and subjected people to arrest for

“impersonating” another gender. Today, such regulations remain in effect in prisons, and are enforced through disciplinary infractions and punitive segregation. And, they still inform law enforcement conduct – for instance, the New York City Police Department’s current arrest paperwork still has a box to check for “impersonating a female”.

Additionally, police requests for identification, which may not match a person’s gender identity, often lead to presumptions that transgender people are fraudulent, deceitful, or inherently suspicious, as well as to verbal abuse and harassment, physical abuse, and invasive and abusive searches to satisfy an officer’s curiosity, humiliate, or assign an individual a gender based on their genital status.

Punishing gender non-conformity Sometimes gender policing is not so obvious, but is just as profound and devastating. In the highly discretionary world of policing, people who do not conform to gender norms are perceived by law enforcement officers as “disorderly”, suspicious, threatening, violent, fraudulent, deceitful, or mentally unstable because of their perceived gender disjuncture, and are therefore routinely profiled, harassed, and arbitrarily arrested for vague offenses such as “disorderly conduct.” They are also subjected to transphobic and homophobic verbal abuse and punishment, in the form of physical violence, for failure to “comply” with prevalent norms of gender identity and expression.

#### **Список використаних джерел**

1. Amnesty International Action, USA-New York Police Department – Serious allegations of abuse of transgender women (update). URL: <https://incite-national.org/policing-gender/>.

2. Lisa Denney Policing and gender. URL: <https://www.osce.org/files/f/documents/e/9/442519.pdf>.

**Васюта Ю.**, здобувач ступеня вищої освіти магістра Національної академії внутрішніх справ

**Консультант з мови: Галдецька І.**

#### **POLICE TRAINING RELATED TO COMBATING HUMAN TRAFFICKING: LONDON**

Human trafficking is considered to be complex, difficult to investigate and a growing global criminal activity. Law Enforcement Agencies perform a key role in preventing and combating this criminal activity. However, to be able to carry out their duties they need to be aware of the current trends and to be able to identify and protect victims. The crime of human trafficking is evolving, new forms are being developed and the modus operandi of the perpetrators is continuously adapting. Police training is an essential part of the fight against trafficking in human beings.

The London Police Service created the Human Trafficking Unit to focus on this crime that generally targets vulnerable young girls and women, although there are male victims as well [1].

Human trafficking is international organised crime, with the exploitation of human beings for-profit at its heart. It is an abuse of basic rights, with organised criminals preying on vulnerable people to make money.

The most common type of trafficker is the ‘Romeo’ or ‘boyfriend’ trafficker who will lure a victim in online or in person with fancy gifts, promises of love and a better life. He will then get the victim hooked on drugs and isolate her from her friends and family, taking away her cell phone and her identification [1].

Human trafficking often involves women forced into the trade, and London’s location along Highway 401 between Detroit and Toronto, has been identified by crime experts as a factor in making the area a hub for human trafficking.

In March, the Ontario government pledged \$307 million in funding during five years to combat human trafficking. The provincewide effort targets several specific areas: raising awareness, holding offenders accountable, protecting victims, and intervening early and supporting survivors [3].

In 2017, the Human Trafficking Unit conducted 184 investigations, facilitated the escape of 15 victims, laid 16 human trafficking charges and more than 250 criminal and drug charges. An estimated 70 percent of the reported cases of human trafficking in Ontario are for the purpose of exploitation; the majority of survivors are Canadian citizens or permanent residents.

Statistics Canada reports victims of police-reported human trafficking are mostly young, mostly women [1; 5]:

- Between 2009 and 2014, there were 396 victims of police-reported human trafficking. The vast majority of these victims were female (93%).
- Victims of human trafficking were generally young. Among victims of human trafficking reported between 2009 and 2014, close to half (47%) were between the ages of 18 and 24. Additionally, one-quarter (25%) of human trafficking victims were under the age of 18.
- The majority (91%) of victims of human trafficking reported by police between 2009 and 2014 knew the person accused of the crime. More specifically, the most common relationship between the victim and accused was a business relationship (23 %), followed by a casual acquaintance (22%).
- Between 2009 and 2014, 100 human trafficking victims, or 3 in 10 victims (30%) experienced physical injury as a result of the human trafficking incident reported by police, the majority of injuries were reported as being minor. Of those victims who reported an injury, the most common cause of injury was from physical force (81%).



Police use such warning signs to stop human trafficking [1]:

- the person seems fearful, anxious, depressed, submissive, tense, or nervous/paranoid;
- the person shows signs of abuse, such as bruising, cigarette burns, fractures, etc;
- the person has tattooing or branding symbols, particularly names;
- the person doesn't have their own things or money, and doesn't control their own passport or other documents.

Human Trafficking Unit is responsible for the investigation and enforcement of state and federal crimes involving the exploitation of human beings and strengthens the capabilities of federal, state and local law enforcement through training programs and investigative assistance [2].

For example, two people have been arrested over trafficking young women from Brazil to work in brothels in north London. A man, 29, and a 28-year-old woman were arrested at properties in Wembley on suspicion of modern slavery and human trafficking. The arrests were linked to offences "where vulnerable women have been tricked, controlled and exploited," police said. Det Insp Grant Anderson said the arrests were "a fantastic team effort" [4].

Police believe the pair is linked to a gang known to offer fake scholarships to trick victims into travelling to the UK. When women arrive they are forced to work in brothels in Harrow and Wembley to repay the costs of their flights, accommodation and education, the Met Police said. A spokesman for Romanian police in the UK said: "Romanian police officers working shoulder to shoulder with our British partners is a great achievement, a proof of our mutual permanent support and a great professional reward" [4].

The modernized training of the police officers involved in the prevention of trafficking in human beings includes lectures, structured interactions and simulations sector, which can help enforce the integrity of the law enforcement and improve cooperation among all parties concerned.

Human trafficking in its various forms continues to offer significant challenges for law enforcement agencies. There is a growing body of research that addresses some of the police governance and management issues associated with the prevention and control of human trafficking and the protection of victims of this type of crime.

#### **Список використаних джерел**

1. Human Trafficking. URL: <https://www.londonpolice.ca/en/crime-prevention/human-trafficking.aspx>.
2. Human Trafficking Section. URL: [https://www.lapdonline.org/detective\\_bureau/content\\_basic\\_view/51926](https://www.lapdonline.org/detective_bureau/content_basic_view/51926).
3. London hosting human-trafficking training session for police officers and other frontline workers. URL: <https://lfpress.com/2017/11/04/london-hosting-human-trafficking-training-session-for-police-officers-and-other-frontline-workers/wcm/9ae8e930-57ad-b488-51d6-a65765614759/>.

4. Seventeen arrested in human trafficking raids in London. Published 14 November 2019. URL: <https://www.bbc.com/news/uk-england-london-50418207>.

5. Trafficking in persons in Canada, 2014. URL: <https://www150.statcan.gc.ca/n1/pub/85-002-x/2016001/article/14641-eng.htm>.

**Вишневський В.**, курсант Національної академії внутрішніх справ  
**Консультант з мови: Скриник М.**

## **MODERN METHODS OF USAGE DRONES IN POLICE**

A drone, in technological terms, is an unmanned aircraft. Drones are more formally known as unmanned aerial vehicles (UAVs) or unmanned aircraft systems (UASs). Essentially, a drone is a flying robot that can be remotely controlled or fly autonomously through software-controlled flight plans in their embedded systems, working in conjunction with onboard sensors and GPS.

We researched how drones can be used in police and how they can make life of policemen much easier.

Hundreds of police departments buy drones each year to aid in chasing down suspects. When a suspect takes to the roof, it can be difficult for the ground units to know where he or she is. Having an eye in the sky provides critical intelligence and guides the ground units to optimal positions. Reducing uncertainty also helps to reduce the stress levels of SWAT teams. Suspects often report not even being aware of a drone since they are so small and much quieter than a helicopter. Drones can also help to identify suspects and what weapons they might be carrying. In a case where a man holed up in a hotel threatening to detonate a grenade, the police were able to identify the grenade as inert and prevent loss of life when the man finally appeared.

Drones can help crime scene investigation in a variety of ways. They can be used to collect evidence that may be difficult to reach from the ground. Two drones can survey a crime scene and provide maps and 3D images within minutes. They can be used to provide lighting at night or low-light conditions. They can manually capture 60+ frames per second from a still camera, or record 4k video as needed. All this can be done in a fraction of the time it takes a ground unit to conduct this same investigation.

It is becoming more common now to use drones for 3D reconstruction of accidents. This is useful for multiple reasons. First, the police can send a drone to the sky to collect evidence from angles that were previously impossible without an expensive helicopter. This was seen in a plane crash in Daytona Beach, where the officers noticed that the airplane had also hit another house before crashing into the roof of the primary accident site. Second, they can do this at multiple times the speed it would take to measure off everything on the ground. Third, they can collect evidence without blocking traffic.

Drones are incredibly useful in managing traffic during rush hours or crowded events. Ground units may have a difficult time trying to assess reasons for backed-up traffic. With a drone overhead, they can immediately assess the situation, figure out the solution, and then radio to the traffic light authorities to change the rate of red-green lights to better manage the flow. These same drones could also be used to monitor vehicle speeds and notify ground units of violators.

Drones can be used for search and rescue, or for locating missing persons and animals. They are often used to find lost hikers and elderly people who wander away from their homes. They can even be used to find crash victims who have been thrown from their car. Drone rescues are becoming more and more common each year. They are particularly useful at night when fitted with thermal cameras that pick up heat signatures.

In many cases, large fire departments are purchasing their own drones; however, the expense may not be feasible for smaller towns or cities. Police departments with drone units have found that they can help the local fire department by collaborating to locate the fire, identify potential victims, and aid the firefighters in directing their resources accordingly. In one example, the Daytona Beach police used thermal images to discover a hot spot in a hotel fire. The fire department was able to quickly turn their hoses to that spot.

In Ukraine hosts 8-10 really big size events each year. These events draw huge crowds and moving ground units through these crowds is slow and tedious.

Cities that host large crowds are finding that having a handful of drones in the sky during the event allows them to see the big picture, watch people move in real time, and zoom in on singular events that may need a ground unit backup. They are great for detecting trouble before it gets out of hand, and communication between units is exponentially faster.

After flood like in the west of Ukraine and other natural disasters, it can be quite difficult to get ground units to affected areas. It can also be difficult to get manned aircraft into hazardous areas without risking the pilots. Law enforcement agencies often use drones to survey disaster sites and identify areas and people that need help. Dozens of drones were used in response to Hurricane Harvey in Houston, as well as after Hurricane Irma in Florida. Drones can identify stranded people more rapidly than ground units. They can deliver medical supplies and other necessities, such as rescue ropes and life jackets.

Lastly, police drones can help to identify illegal and unregistered drones that may be hazardous to the surrounding environment. Many private drone operators do not have the proper training and licensing necessary to fly their drones on public property. In fact, if you don't understand the images below, then you probably should not be flying a drone. Once an illegal operation has been identified, a ground unit can be sent to find the operator and give them a choice between education about the laws or arrest and fines if they refuse to cooperate.

### Список використаних джерел

1. Margaret Rouse Drone services (UAV). URL: <https://internetofthingsagenda.techtarget.com/definition/drone>.
2. Faine Greenwood How to regulate police use of drones. URL: <https://www.brookings.edu/techstream/how-to-regulate-police-use-of-drones/>.

*Вірний О.*, курсант Національної академії внутрішніх справ

**Консультант з мови: *Сторожук О.***

## FOREIGN EXPERIENCE IN COMBATING HUMAN TRAFFICKING

Human trafficking is a modern form of slavery, which is expressed in the illegal trade for the purpose of commercial sexual exploitation or forced labor. Mostly women and children, are recruited and exploited by traffickers. For example, trafficking in children with for the purpose of their illegal adoption, for women – for their purpose sexual exploitation, use in the porn business, men – for the purpose of their use in various armed conflicts, exploitation of their labor. Also one of the most dangerous kind of this activities – trafficking in human beings for the purpose of organ transplantation and tissues, forced donation [1].

Human trafficking is one of the most brutal and mass violations of human rights and freedoms. And unfortunately, this problem is still relevant for today. According to international experts, human trafficking is the third largest crime industry in the world after drug trafficking and weapons [2].

There are no borders for this problem, it affects almost all countries. So public authorities control this phenomenon, and law enforcement agencies make every effort to avoid the spread of this illegal activity. Human trafficking is condemned as a violation of human rights by international conventions, therefore for effectively counter such a criminal activities require special intergovernmental agreements and relevant rules that will help reduce the problem. In addition, human trafficking is subject to a directive in the European Union. The United Nations (UN), the Organization for Security and Cooperation in Europe (OSCE) and the International Organization for Migration (IOM) are also involved in combating this type of crime. Certain measures are also taken by each government.

According to a report by the U.S. State Department, Belarus, Iran, Russia, and Turkmenistan remain among the worst countries when it comes to providing protection against human trafficking and forced labour [3]. There in an increasing number of cases of human trafficking and slavery in Ukraine. Often the reason is a lack of skills and ignorance of the necessary information, which hinders the quality of work. It means that an effective counteraction to human trafficking in Ukraine depends first and foremost on

the proper training of employees of the anti-trafficking units of the National Police of Ukraine [4].

To sum up the above mentioned, we can make a conclusion that the successful detection and investigation of this type of crime requires continuous improvement of workers' skills, development of knowledge and some financial assistance. It should also be noted that in order to combat human trafficking, it is necessary to involve not only the authorities, but also to encourage the local population and explain that any of their assistance will be important. In this way, we can save other people's lives and prevent spreading of this problem.

#### **Список використаних джерел**

1. Addressing International Human Trafficking in Women and Children for Commercial Sexual Exploitation in the 21st century :Cherif M. Bassiouni, Daniel Rothenberg, Ethel Higonnet, Cynthia Farenga, Augustus Sol Invictus <https://www.cairn.info/revue-internationale-de-droit-penal-2010-3-page-417.htm>

2. European Commission ,Together Against Trafficking in Human Beings Member States [https://ec.europa.eu/anti-trafficking/member-states/poland\\_en](https://ec.europa.eu/anti-trafficking/member-states/poland_en)

3. France and the fight against human trafficking <https://www.diplomatie.gouv.fr/en/french-foreign-policy/human-rights/fight-against-human-trafficking/>

4. Актуальні питання протидії кіберзлочинності та торгівлі людьми. Харків, 2018 ПРОТИДІЯ МІЖНАРОДНИЙ ОРГАНІЗОВАНИЙ ЗЛОЧИННОСТІ 3 ТОРГІВЛІ ЛЮДЬМИ [http://univd.edu.ua/general/publishing/konf/23\\_11\\_2018/pdf/08.pdf](http://univd.edu.ua/general/publishing/konf/23_11_2018/pdf/08.pdf)

***Воронін І.***, курсант Національної академії внутрішніх справ

***Консультант з мови: Гончаренко Н.***

### **SALISBURY POISON ATTACK – THE SEARCH FOR PERPETRATORS**

One morning in mid-February, a huge Russian flag suddenly appeared hanging from Salisbury Cathedral. Someone had to have climbed up a scaffold under cover of darkness to attach the white-blue-red stretch of fabric to the city's medieval landmark.

"Thankfully, it [the flag] has been removed now," said John Glen, the Conservative MP for the southern English city. "What a stupid stunt – mocking the serious events sadly experienced in Salisbury last year!"

Russia's involvement in these "serious events" is, from Westminster's point of view, even more obvious than a prominently hung, outsized flag. The consequences of the incident continue to be felt – and some details still remain unknown.

On March 4, 2018, a man and woman were found unconscious on a park bench in the center of Salisbury. It quickly emerged that they were a Russian double agent, Sergei Skripal, and his daughter, Yulia. Authorities soon discovered that they had been poisoned with the neurotoxin Novichok, which pointed to a trail leading back to Skripal's homeland, Russia. Skripal had fallen from grace after being found guilty of betraying Kremlin secrets. On March 12, British Prime Minister Theresa May declared in the House of Commons that Russia was "highly likely" behind the attack.

In hospital, the Skripals eventually recovered, but four months after the original attack, uninvolved people unwittingly fell victim: A British couple from the surrounding area found a perfume bottle that had evidently been used to transport the nerve agent to Salisbury. Both came into contact with residues of the toxin. The woman died, and the man went blind.

### **Poisoned diplomacy**

While the Skripals were still fighting for their lives, the political backlash escalated. Two days after the attack, the British foreign secretary at the time, Boris Johnson, said he did not want to point the finger at others. Nevertheless, he called Russia a "malign and disruptive force." Ambassadors were summoned, ultimatums were given and then dozens of diplomats were expelled on both sides.

Two dozen Western countries supported and followed the UK's measures. In September, London once again sharpened its criticism: Ben Wallace, minister of state for security at the Home Office, said the responsibility "ultimately" lay with Russian President Vladimir Putin, as it was his government that "controls, funds and directs the military intelligence."

### **Search for perpetrators**

The first wave of political reactions had subsided when the search for those behind the attack got underway. At the beginning of September, the British judiciary brought charges against two men who subsequently were made subject to a European arrest warrant.

In addition, the UK released some recordings from surveillance cameras, as well as the names under which the men had entered the country. Putin suggested that the two private individuals – known to the authorities – should explain themselves in person, which they did in an interview with the Russian state television station RT. They stated that they had traveled to Salisbury solely as tourists. Even some Kremlin-friendly Russians could not bring themselves to buy the story.

Within a month of the indictment, the Bellingcat research portal published the true identities of the two men, who were operatives of the Russian military intelligence agency, the GRU. The investigative group reconstructed how Alexander Mishkin and Anatoly Chepiga entered the UK under aliases: Alexander Petrov and Ruslan Boshirov. Russia denied the accusations.

### **New sanctions, new investigations**

In autumn, the US imposed new sanctions against Russia. They were partly to penalize Russia's alleged interference in the 2016 presidential campaign, but also explicitly as punitive measures for the Skripal case.

#### **Список використаних джерел**

1. URL: <https://www.gov.uk/government/news/novichok-nerve-agent-use-in-salisbury-uk-government-response>.
2. URL: <https://www.rferl.org/a/chemical-weapons-nerve-agent-attack-novichok-russia-putin-salisbury-england/29108252.html>.
3. URL: <https://www.itv.com/news/2018-03-08/nerve-agent-attack-state-russian-spy-daughter>.
4. URL: <https://www.telegraph.co.uk/news/2018/03/10/poisoned-police-officer-not-hero-just-job/>.
5. URL: <https://web.archive.org/web/20180328194859/http://news.met.police.uk/news/update-salisbury-investigation-300644>.

*Галайко О., курсант Національної академії внутрішніх справ*

*Консультант з мови: Хоменко О.*

### **INTERNATIONAL EXPERIENCE IN THE FIELD OF PREVENTING CRIMES**

Crime as an incurable "disease" of the social organism hinders its functioning and development for many centuries. Human's history has showed that the goal in the form of liquidation and final neutralization of crime, complete elimination of root factors (causes and conditions) which give rise to and determine its various species, is utopian and, apparently, forever objectively inaccessible to any state and society. Therefore, one thing remains: keep quantitative and qualitative indicators crime at a safe level for the country, while minimizing its harmful effects by cutting the most socially dangerous and severe manifestations.

In particular, the analysis of the so-called concept of control deserves attention of crime. It is one of the most common in Western applicable practice. Thus, in the United States, as in Europe, at the turn of the XIX – first half of the twentieth century in the prevention of crime emphasis was placed exclusively on police and penitentiary measures. However, since the 70s of the twentieth century, the concept of control over crime became more widespread and using, not only various areas of activity of criminal justice bodies but also include the participation of other social institutions (family, school, church, public formations and associations, etc.), which actively took and participate in the realization of social programs, aimed at improving the socio-economic living conditions and education of the younger generation.

Subsequently, in countries (primarily the United States and the United Kingdom), where developing and implementing new and improving existing strategies combating crime given special attention, the term "control over crime" (or crime control) came to be used with the term "crime reduction" (cut crime). Many modern Western criminologists understand crime control as activities to stabilize crime rates in the social tolerable level (or below this level) and, if possible, reduction its increase (raise) [1].

The main subject of control over crime in foreign countries is the state in the form of law enforcement and judicial form (concerning detection and investigation of crimes, attraction guilty of criminal liability, appointment and execution criminal penalties), central executive bodies (of implementation of socio-economic policy aimed at eliminating socio-economic preconditions of crime).

The subjects of one types of this activity of social and legal control are somewhat different. The subject of its implementation there is a so-called private sector, whose activities are direct not related to the fight against crime. It can include the public in a broad sense, namely: a variety of public organizations and associations for crime prevention, educational institutions and health care, service facilities, the media information, individual citizens, etc.

At the first time at a high international level, the issue of public participation in combating crime was discussed by representatives of several dozen countries at the Third UN Congress on crime prevention and criminal's regimes. (Stockholm, August 9–18, 1965).

The document "Social Factors and Crime Prevention (with special emphasis on the role of the public, family, employment opportunities and educational)" noted that in the fight against crime, the use of public opportunities is limited, as the main emphasis in this case is placed on the work of judicial and law enforcement agencies.

In addition, it was emphasized that:

- Historically, the community has always considered crime prevention their right, which led to the substitution of justice by greed, revenge, mind – ritual prohibitions, impartiality – intolerance. Therefore, its aspirations must be realized in accordance with legal boundaries of a particular state.

- Governments should promote the social as much as possible vector of own policy in order to increase the authority in the public and intensifying its participation in crime prevention measures.

UN experts and scientists, who prepared this document and summarized at that time the most progressive theoretical provisions for the implementation of the strategy of public participation in crime prevention, noted that any government strive to publicity completely supported the justification of his social policy of protection, so that it should does motivate last one to activity combat crime. With this method should be demonstrated an achievement during realization different programs, started with performance indicator introduction experimental projects. If project



became quite successful – next should work on program. A similar approach is used in the field of crime prevention valid in modern Ukraine. In order to introduce modern foreign practices of involving the local population in the fight against crime at the national level, a decision was made conducting an experiment in a separate area – in Kharkiv. It used the experience of British colleagues in the implementation of the so-called neighborhood surveillance program and the program "Stop the criminal".

But, of course, the domestic experience does not end there. There are quite successful examples of individual projects in the field of juvenile justice, that is, juvenile justice, which became the impetus for the development and subsequent adoption of the Concept for the Development of Criminal Justice against Juveniles in Ukraine, approved by the Decree of the President of Ukraine of May 24, 2011 № 597 / 20114

In addition, the Third Congress contains concrete positive examples some worlds countries the fight against crime by adding population to this process. In some African countries local community have high trust level to judiciary due to the presence local courts. On this continent in the 60's in the twentieth century, about 90% of criminal cases were considered by local courts. Similar examples existed in other states. Thus, village councils in the form of panchayats in India and Gansabhava in Ceylon had the right to prosecute individuals for minor offenses. At the same time, the trust of these judges on the part of both the guilty and the local population was at quite high level.

Another method expansion public influence at crime is closely linked to primary prevention of crime. This consists in the inclusion of items of social programs with protection of the population in urban and rural communal projects development. In other words, positive social-economic changes in country get appeared in way of life local public it means that contribute of their commitment to combat crimes.

In the Kingdom of the Netherlands and Japan, according to this Congress, respectable volunteers take on bail several people released early from prison. In the United Kingdom and the Commonwealth (Canada, Australia) there are prison inspection committees that oversee the activities of correctional facilities. In India, there are dormitories for former convicts that are established and controlled by the public.

#### **Список використаних джерел**

1. Теория и практика борьбы с преступностью в Великобритании / О. Н. Ведерникова. М. : Рос. криминол. ассоц., 2001. С. 275.
2. Криминология : учеб. ; под. ред. А. И. Долговой. – 3-е изд., перераб. и доп. М. : Норма, 2005. С. 401, 402.
3. Gerstein D. R. Preventing Drug Abuse : What Do We Know?
4. Идеи о предупреждении преступлений в античной и последующей философской и современной зарубежной криминологической литературе / В. И. Тюнин, А. Г. Мусейбов. *История государства и права*. 2003. № 4. С. 61–64.

**Гац Д.,** здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
**Керівник з мови: Могилевська В.**

## **WILDNESS IN KYRGYZSTAN: BRIDE KIDNAPPING**

Regretfully, kidnapping is a global problem which is becoming bigger and bigger every year. Abduction of women – one of the most primitive forms of marriage, marriage by capture – is now considered a serious crime throughout the world. Although the practice was outlawed in 2013, bride kidnapping continues to exist, with destructive consequences for society. As for the topic of my research, in the former Soviet republic of Kyrgyzstan thousands of young girls and women are kidnapped every year to be forced into marriage. So, what is bride kidnapping and how do we can combat this?

To begin with, bride kidnapping is often referred to as a tradition, perceived as the obvious thing to do when one is ready for marriage. If a man has his eye on a girl, he may inform his family members about the upcoming kidnapping, gather his friends together, and wait for the right time. When the girl is dragged into a car and brought to his home, his female family members will persuade the girl to stay, often using physical and mental violence, until the girl eventually agrees to marriage [1].

Much to our regret, the family's honor was violated the moment the girl was dragged onto the property of the kidnapper - social pressure often keeps the parents from taking their daughter home with them [1]. Nevertheless, most cases did not make it to court as women retracted their statements, often under pressure from female family members, fearing public shaming for disobedience or no longer being a virgin[2].

According to data by the NGO Women Support Centre, which works to eliminate violence against women, there are at least 11,800 cases of forced abduction of women and girls every year in Kyrgyzstan, with more than 2,000 of those girls reported being raped as well [3].

Because of this terrible statistics Kyrgyzstan toughened laws against bride kidnapping in 2013, making it punishable by up to 10 years in prison, according to the United Nations Development Program (UNDP), which said it was a myth that the practice was ever part of the culture. To add, a UNDP spokeswoman said data was scant on the number of women abducted each year because many women did not report the crime through fear but they estimate about 14 percent of women younger than 24 are still married through some form of coercion [2].

Although the punishment on bride kidnapping was tightened in 2013, prosecution is still rare. A wide range of factors may explain the low prosecution rate, ranging from social pressure not to press charges to a lack of confidence in the authorities. In some cases, the kidnapper is a blood relative or a member of the “extended family,” further complicating the situation [1]. Only one out of 700 cases is pursued by the justice sector and

only one in 1,500 cases of abduction results in a judicial sentence in Kyrgyzstan [3].

Despite legislative measures, widespread cultural acceptance of the practice persists. Physical and mental violence is common during kidnappings and these experiences haunt the victims for years. Not to mention, a number of suicides have even been reported after kidnappings [1].

Answering the question of how can we combat this type of crime, education is one of the ways to stop this cruel practice. As an example, young boys, who joke that they will kidnap a girl themselves one day, are the ones who should be educated and hear the stories of young girls who have experienced kidnapping, see their tears, and feel how deeply they have been wounded by what people in Kyrgyzstan call a “tradition”—even though it is not. It is just a practice of violating the rights of women that began from one day to the next and can hopefully be stopped in the same way soon [1].

Even though Kyrgyzstan had ratified the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Universal Declaration of Human Rights, the Convention on the Rights of the Child and other international treaties which prevent violence and discrimination against women and girls, years of advocacy and mobilization are needed for the legal reform [3].

Summing up, there are some speeches which, to my mind, deserve public attention. Ainuru Altybaeva, a Member of Parliament in the Kyrgyz Republic who initiated amendments to Article 155 of the Penal Code, which increase penalties for “kidnapping a woman to marry her against her will”, says: “According to Article 36 of the Constitution, no marriage shall be registered without benevolent and mutual consent of the parties to the marriage.” Kamilla, a volunteer in the Women Support Centre who assists others who faced challenges similar to that of her sister says: “Speak out, tell your stories, don’t be afraid – this is how you become the agent of change! You will break the chains, if you start fighting.”

#### **Список використаних джерел**

1. WILDNESS. About Bride Kidnapping in Kyrgyzstan. Voices on Central Asia, 2019. URL: <https://voicesoncentralasia.org/wildness-about-bride-kidnapping-in-kyrgyzstan/>.
2. Kyrgyzstan Women Fight to End Bride Kidnapping. Voice of America, 2019. URL: <https://www.voanews.com/south-central-asia/kyrgyzstan-women-fight-end-bride-kidnapping>.
3. New law in Kyrgyzstan toughens penalties for bride kidnapping. Office of the Secretary-General’s Envoy on Youth, 2013. URL: <https://www.un.org/youthenvoy/2013/09/new-law-in-kyrgyzstan-toughens-penalties-for-bride-kidnapping/>.

*Герасимчук А., здобувач ступеня вищої освіти Національної академії внутрішніх справ  
Консультант з мови: Лопутько О.*

## **CAUSES AND CONDITIONS OF CRIME AND MEASURES TO PREVENT IT**

Nowadays, many factors influence the crime situation in the world. Certain conditions also encourage criminals to commit criminal offenses. Unfortunately, crime is booming now, but law enforcement agencies are trying to combat it in various ways. One of the factors contributing to the perpetration of socially dangerous acts are: social circumstances (standard of living of society; political situation in the country; level of economic system); certain life circumstances (difficult situation in the family; loss of life; death of a family member who provided materially family), the influence of society (when teens get into companies that adversely affect a person's development, behaviour, and incite the person to commit a crime). Some scientists believe that criminals and children will break the law. As if certain human behaviour in society is passed on from parents to children in my opinion, this is impossible. From birth, a person is influenced by society and external factors, which shapes his consciousness and behaviour.

First of all, you need to find out what are the causes and conditions that affect the crime.

The causes of crime are such social phenomena lives that support crime, support its existence, cause its growth or decline. The cause of action is primarily the stage of motivation and acceptance decision when it comes to the formation of motive, purpose, determination of ways to achieve it just as criminal. The condition is that it does not in itself create crime, but affects birth processes, participates in the determination of crime. The causes and conditions of crime are social in origin and in nature. In combination with the factors contributing to the crime, some processes and phenomena of climatic, physiological character (earthquakes, floods, migration, acceleration, etc.) and other can function. The causes and conditions of crime and crime because of their diversity and multifaceted nature require for their scientific and practical knowledge of a certain classification. It is conducted by criminology for:

- a) mechanism of action (nature of determination);
- b) the level of functioning;
- c) the content;
- d) by nature and by other criteria [4, p.46]

The philosophical category of causality reflects one of the most common, fundamental laws of being. It applies to all phenomena and processes of nature and societies - both individual and mass, including those of probable nature. This situation is also significant for criminology. Like science, it tries to give a sound answer not only to the question of the causes of individual crime behaviour, but also crime in general. The causation

category includes the following concepts: cause, condition, consequence (result), relation between cause and effect (condition and cause, condition and effect), feedback between effect and cause (conditions). The causal chain that explains criminal behaviour is quite complex and diverse, so it can only be understood using the knowledge of a number of sciences - philosophy, psychology, sociology, law, etc.

There are three main links in the causal chain that lead to unlawful acts. The first covers what precedes a criminal act, that is, a period the formation of the offender's personality and interaction with the specific life situation. The second connects cause and effect, is the identity of the offender with his will and consciousness. The third (consequence) involves the development of a causal link from an act of unlawful conduct to the appearance of a criminal result. This view is also observed by most authors who engaged in the study of this issue [5, p.42].

Even in the early stages of society, its best representatives realized that to curb crime only through punishment impossible. There was an understanding that it was more rational to prevent crime, not to be forced to punish him for his actions. Ancient Greek philosopher Plato believed that perfect law should apply in society, which should distract people from crime. Another outstanding philosopher is Aristotle he argued that society must be organized in such a way that it combats negative habits and traditions that are contrary to the mind. In S. Montesquieu's well-known treatise "On the Spirit of Laws" substantiated the provision of the distribution of power in the rule of law society and formulated a demand that «A good legislator cares not so much about punishment for a crime as much about its prevention».

Crime prevention literally means activity that prevents crime. Some scientists point to the incorrect use of the term "prevention" of crime, which already exists and, apparently, will continue for a long time, and can only be prevented why not yet. Other scholars, however, hold a diametrically opposed position, believing that the use of this definition in scientific circulation is justified for certain reasons.

First, precautionary action against crime is not directly directed not against it in the form (volume) in which it exists at present, but in relation to the factors that determine it. This activity is primarily aimed at interrupting the latter and thus preventing further crime, the existence of crime in modern settings and their increase.

Second, crime is indeed a social phenomenon that manifests itself in the criminal activity of some members of society, at a high general level, due to certain objective social phenomena and prerequisites, a state of social relations that cannot be prevented by direct pre-emptive measures. But in quantitative terms, criminal activity, which is the only real manifestation of crime, can and should be adjusted. Hereby crime rates are being reduced, which is now the goal of preventing crime [3, p. 5–8].

At present, the state is governed by the main criminal law - the Criminal Code of Ukraine. This code indicates what conduct is considered criminal and what punishment it follows.

Article 1. Tasks of the Criminal Code of Ukraine

1. The Criminal Code of Ukraine has the task of ensuring the legal protection of human and citizen's rights and freedoms, property, public order and public safety, environment, constitutional order of Ukraine from criminal encroachments, ensuring peace and security of humanity, as well as preventing crimes.

2. To accomplish this task, the Criminal Code of Ukraine determines which socially dangerous acts are crimes and what penalties are applied to the perpetrators [2, p.3].

Over the time, the punishments for the crimes committed changed, namely the degree of their cruelty.

The historical progress of criminal law, we want whether or not this is to humanize the sentenced person. In retrospect, it looks like this:

- refusal of qualified (cruel) types of the death penalty, maiming and other corporal punishment, hard labour;
- significant displacement of imprisonment by fine and other punishments, mandatory work;
- introduction of probation, other types of so-called probation;
- removal of minors from the sphere of general criminal law;
- a general prohibition of the death penalty and any punishment that may inflict physical suffering or humiliate human dignity;
- a wider range of punishments, alternative to imprisonment will;
- transformation of certain types of punishment into other coercive measures, that are not punishment [1, p. 288].

Thus, crime in society arises for a number of reasons and conditions. In order to protect society, it is necessary to prevent the emergence of these factors, which cause socially dangerous actions. In my opinion, it is really realistic to reduce the number of crimes in society. All we have to do is try our best for the whole society, not just any part.

**Список використаних джерел**

1. Кримінальне право : навч. посіб. / О. О. Дудоров, М. І. Хавронюк. К. : Ваіте, 2014. 944 с.
2. Кримінальний кодекс України (редакція від 20.03.2020). *Відомості Верховної Ради України*. 2001. 203 с.
3. Запобігання злочинності : навч. посіб. / І. Б. Медицький. Івано-Франківськ, 2008. 231с.
4. Кримінологія : підручник / Л. С. Сміян, Ю. В. Нікітін. К. : Національна академія управління, 2010. 496 с.
5. Кримінологія / О. С. Стеблинська. К. : Ін-т крим.-викон. служби, 2014. 126 с.

**Герасимчук М.,** здобувач ступеня  
вищої освіти Національної академії  
внутрішніх справ  
**Консультант з мови: Горбач О.**

## **ZUR GESCHICHTE DER SCHWEIZERGARDE**

Selten sind Tradition und Moderne so eng miteinander verbunden wie in der Päpstlichen Schweizergarde. Seit 1506 schützt die Garde den Papst und seine Residenz, das hat sich bis heute nicht geändert. Verändert haben sich jedoch die Methoden der Auftragserfüllung und das Umfeld, in dem sich die Gardisten bewegen [1].

Am 21. Juni 1505 richtete Papst Julius II. ein Gesuch an die eidgenössische Tagsatzung, ihm 200 Fussknechte für die Bewachung seines Palastes zu entsenden: «Es wird ja eurer ganzen Nation Ruhm bringen, dass eure Männer bevorzugt vor anderen zur Bewachung des Apostolischen Palastes berufen werden», schrieb Julius II. Im Herbst des gleichen Jahres machten sich 150 «Gwardiknechte» – vorwiegend aus den Kantonen Zürich und Luzern – auf den Weg nach Rom. Dort trafen sie am 21. Januar 1506 ein, wurden eilig mit Uniformen in den Rovere-Farben rot und gelb ausgestattet und begannen bereits am Tag darauf ihren Dienst. Der 21. Januar 1506 gilt deshalb als Gründungstag der Garde.

Die Blutprobe folgte auf tragische Weise bei der Plünderung Roms am 6. Mai 1527. 147 Schweizer fielen bei der Verteidigung von Papst Klemens VII, darunter zahlreiche Söhne der bereits «reformierten» Zwinglistadt Zürich. Seither ist der 6. Mai der jährliche Ehrentag mit der Vereidigung neuer Gardisten.

In der traditionellen Renaissance-Uniform steckt ein junger, moderner und gut ausgebildeter Schweizer. Mit dem Reisläufer des 16. Jahrhunderts verbindet ihn auch heute noch die feste Überzeugung, dass die Kirche Jesu Christi und der Nachfolger Petri es verdienen, dass man sich für sie, wenn nötig gar mit seinem eigenen Leben, einsetzt. Und es verbindet ihn noch immer eine gewisse Abenteuerlust auf das internationale Umfeld, die Kameradschaft, das Kennenlernen des Sicherheitsmetiers und darauf, den eigenen Glauben tiefer zu erfahren, eine neue Sprache zu erlernen und die Kultur Italiens zu erleben. In diesem mediterranen Klima reifen nicht nur süsse Früchte, sondern auch Glaube, Überzeugung, Können, Freundschaft und Lebensfreude.

Zu den Aufgaben eines Schweizergardisten zählen:

- Schutz des Papstes und seiner Residenz,
- Begleitung des Papstes auf seinen Reisen,
- Bewachung der offiziellen Eingänge zum Vatikanstaat,
- Leistung von Ordnungs- und Ehrendiensten,
- Schutz des Kardinalskollegiums während der Sedisvakanz [3].

Seit den Anfängen hat sich bei der ältesten noch existierenden Armee der Welt allerdings nicht mehr viel geändert. Nun ja, bis auf die Uniform: Die sieht in ihrer fast karnevalstauglichen Farbenpracht zwar

verdächtig nach Renaissance aus, entworfen wurde sie allerdings erst Anfang des 20. Jahrhunderts, sozusagen als Erinnerung an die gute alte Zeit.

Davor sollen die Gardisten manchmal sogar Pickelhauben und Kaiser-Wilhelm-Bärte getragen haben – auch wenn die Schweizergarde bis zum heutigen Tag stets nur aus waschechten Schweizer Staatsbürgern besteht. Außerdem muss ein Gardist unter anderem katholisch, männlich, unter 30 Jahre alt, gesund und zumindest anfangs unverheiratet sein. Eine abgeschlossene Ausbildung zählt ebenfalls zu den Voraussetzungen.

Verrichteten die früheren Söldner einfach nur ihre Arbeit, wollen die heutigen Gardisten als Soldaten und als Gläubige ernst genommen werden. Allerdings: Echte Sorgen um die irdische berufliche Zukunft muss sich keiner von ihnen machen. Viele wechseln irgendwann einmal ins Sicherheitsgewerbe – schließlich arbeiten sie auf Reisen und im Vatikan auch als päpstliche Bodyguards.

Dass sie zumindest im Apostolischen Palast, den Wohn- und Schlafgemächern des Papsts, für diese Aufgabe nur Pfefferspray zur Verfügung haben, erzählt man besser gar nicht weiter. Wobei Papst Benedikt XVI. ja ohnehin noch auf eine ganz andere Macht vertraute: In seinen Ansprachen vor der Schweizergarde erbat er immer auch den Schutz der Jungfrau Maria – sicher ist sicher.

Zur traditionellen Bewaffnung zählt für alle Dienstgrade das Schwert: in einfacher Ausführung, mit schlichter, S-förmig geschwungener Parierstange für die Dienstgrade bis einschließlich Feldweibel oder mit aufwendigen Korbgefaßen, nach Art frühbarocker Degen bzw. Rapiere, für die Offiziere. Die einfachen Dienstgrade führen die Hellebarde, Vizekorporale und Korporale die Partisane mit roter Fransenquaste (bei dem Vizekorporal mit breiter Mittelklinge und geraden Seitenklingen, bei dem Korporal mit schmaler Mittelklinge und mit halbmondförmig aufgeschwungenen Seitenklingen). Die Dienstgrade ab Wachtmeister führen keine Stangenwaffen, dafür bei bestimmten Gelegenheiten einen schwarzen Kommandostab mit elfenbeinfarbenem Knauf und Spitze. Die vom Feldweibel (ersatzweise: Wachtmeister) geführte Truppenfahne eskortieren stets zwei mit Flambergen bewaffnete (Vize-)Korporale.

Daneben steht der Schweizergarde aber auch modernes Gerät zur Verfügung, um die Wachaufgaben im Vatikan wahrzunehmen. Unter anderem die Glock 19 und die Glock 26 als Nachfolger der alten Pistole 75, das Sturmgewehr 90 des Schweizer Herstellers SIG und die H&K-Maschinenpistolen MP5. Zudem kann gegebenenfalls das Pfefferspray (RSG2000) oder der Taser (TaserX2) eingesetzt werden.

Seit dem Papstattentat im Jahr 1981 wurde der Personenschutz für den Papst erheblich verschärft. Genauer zum aktuellen Waffenbestand wird nicht bekannt gegeben.

Im Jahre 2006 wurde zum 500. Jubiläum in der nicht mehr benötigten Festung von Naters im Kanton Wallis ein Museum über die Schweizergarde eingerichtet [2].



### Список використаних джерел

1. URL:  
[https://www.google.com/search?q=schweizergarde&rlz=1C1SQJL\\_ukUA920UA920&oq=schweizergarde&aqs=chrome..69i57j0i1917.18274j0j15&sourceid=chrome&ie=UTF-8#](https://www.google.com/search?q=schweizergarde&rlz=1C1SQJL_ukUA920UA920&oq=schweizergarde&aqs=chrome..69i57j0i1917.18274j0j15&sourceid=chrome&ie=UTF-8#).
2. URL:  
[https://www.google.com/search?q=schweizergarde&rlz=1C1SQJL\\_ukUA920UA920&oq=schweizergarde&aqs=chrome..69i57j0i1917.18274j0j15&sourceid=chrome&ie=UTF-8#](https://www.google.com/search?q=schweizergarde&rlz=1C1SQJL_ukUA920UA920&oq=schweizergarde&aqs=chrome..69i57j0i1917.18274j0j15&sourceid=chrome&ie=UTF-8#).
3. URL:  
[https://www.planetwissen.de/kultur/mitteleuropa/urlaubsland\\_schweiz/pwie-schweizergarde100.html](https://www.planetwissen.de/kultur/mitteleuropa/urlaubsland_schweiz/pwie-schweizergarde100.html).
4. URL:  
[https://de.wikipedia.org/wiki/P%C3%A4pstliche\\_Schweizergarde](https://de.wikipedia.org/wiki/P%C3%A4pstliche_Schweizergarde).

*Гертичук Д.,* курсант Національної академії внутрішніх справ  
**Консультант з мови: Хоменко О.**

### CRIME PREVENTION: INTERNATIONAL EXPERIENCE

An experience of the foreign states in sphere of prevention crimes is analyzed. An attention is focused upon the most effective developments to raise the levels of citizen's safety.

Analysis of international experience in combating crime shows that in current conditions, criminal acts pose a real threat to the democratic development and national security of most states in the world. Criminal elements have close interregional and international contact and direct their efforts to set up control over most profitable fields of economic relations.

In Ukraine we don't have state-approved concept of fighting crime due to many economic, social, politic, legal and other features and contradictions in the evolution of market relations in the state; the creation of a criminal justice system hasn't been completed; the development of national legislation continues; state institutions are being introduced, which have to correspond to the best European and world ones standards in this area of public relations [4, p.24–29].

In our country, as well in other countries of the near abroad, it's destroyed Soviet-era prevention system, which despite some weaknesses was relatively effective, showing examples of interactions between law enforcement agencies and the public.

In the world as a whole, violent crime grows by 9% every year.

This situation has developed despite a significant system of international crime prevention institution such as: General assembly, the security council, the economic and social council, the international court of justice, the commission on crime prevention and criminal justice, regional research institutes and United Nations centers, etc.

Special place is given to the international criminal police organisation also known as Interpol.

Due to the fact that developed countries attach great attention fighting against crime it becomes necessary to implement their positive experience in Ukraine. In particular in 1976 US Congress passed the organized crime control act, which provides for a certain amount of legislative and preventive measures to prevent crimes that fall under federal jurisdiction.

In the US, the involvement of citizens in preventive work in regions where is an institution of voluntary helpers.

Also, all we know that Japanese society has low criminal situation which is explained by active police support in crime prevention and high discipline of society. The prevention system in Japan is focused on local crime prevention programs. Early prevention functions are performed by special rehabilitation bodies, which employ not only a staff, but also volunteers. In Japan is also a crime prevention association, a public organization that operates at different levels in each police station.

In France, in 1983, was created the national council for prevention of crime, which included members of parliament, mayors, ministers and representatives of business. The headmaster of the council is the prime minister of the country. The council solves such tasks as: finances crime prevention programs, informs public about state of crime in the country and develops national policy in the field of combating crimes.

In the UK since 1966 has been operating constant conference on crime prevention, which includes representatives of the confederation of British industrialist, the chamber of commerce and associations of senior police officers.

This organization includes groups that specialize in preventing robberies.

A significant achievement of the crime prevention system in foreign countries is powerful legal support. Government programs contain the definition of direction of sociological research and implementation preventive measures with a focus on early prevention.

A main feature in the fight against crime in the USA in recent decades is the desire for centralised planning and contradiction of this field of activity, creation of special bodies for this purpose and giving them full range of tools [2].

Most developed country in the world have established similar bodies that systematically analyses the state of affairs in the field of crime prevention and gives recommendation to the government for appropriate decisions. For example, in Austria there is a crime prevention advisory service, which has 143 regional offices; in Belgium – higher prevention council; in Denmark – the high council for prevention, which includes 46 organisation; in the US established prevention services that contain more than 100 public and state organization.

### Список використаних джерел

1. Транснаціональна злочинність : монографія / Вербенський М. Г. Дніпропетровськ : Дніпроп. держ. ун-т внутр. справ; Ліра ЛТД, 2009. 356 с.
2. Система борьбы с преступностью в США / Ю. А. Воронин. Свердловск : Изд-во Урал. ун-та, 1990. 100 с.
3. Что противопоставить преступности? / А. Кальман. *Зеркало недели*. № 8. 2009. 7 марта.
4. Роль кодификации уголовного законодательства Украины в сближении европейских законодательных систем / В. Н. Куц. *Вісник Національного у-ту внутр. справ*. Х. 2000. Вип. 12. Ч. 2. С. 24–29.

**Глобчак А.**, курсант Національної академії внутрішніх справ

**Консультант з мови: Марченко І.**

### BRITISH TRANSPORT POLICE

The British Transport Police (BTP) is a national special police force that polices railways and light-rail systems in England, Wales and Scotland, for which it has entered into an agreement to provide such services. The force is funded primarily by the rail industry, and does not receive central government funding.

British Transport Police officers do not have jurisdiction in Northern Ireland unless working under mutual aid arrangements for the Police Service of Northern Ireland, in which case any duties performed on a railway will be merely incidental to working as a constable in Northern Ireland.

As of October 2020, BTP had a workforce of 3,069 police officers, 1,689 police staff, 362 police community support officers, 300 special constables. In terms of officer numbers it is the largest of the three special police forces and the 11th largest police force in the United Kingdom overall. Since March 2014, the Chief Constable has been Paul Crowther OBE. [1]

BTP is divided into four divisions:

- Force Headquarters or A Division

FHQ retains overall command of our activity and houses central departments and functions, including responsibility for resources such as forensics, CCTV and major investigations. The headquarters are in Camden Town, London.

- B Division

London and the South East of England are vital areas of rail travel. It accounts for the majority of passenger journeys in Britain across East

Anglia, the south coast and the capital, including London Underground and Docklands Light Railway.

- C Division

Pennine, Midlands, South West and Wales is the largest of the divisions, covering rail networks beyond the South East. It includes the policing of major transport hubs such as Birmingham, Leeds and Manchester.

- D Division

Scotland is a unique division working under Scottish law and legislation that requires dedicated officers to police their railways. [2]

Under s.31 of the Railways and Transport Safety Act 2003, British Transport Police officers have "all the power and privileges of a constable" when:

- on track,
- on network,
- in a station,
- in a light maintenance depot,
- on other land used for purposes of or in relation to a railway,
- on other land in which a person who provides railway services has a freehold or leasehold interest, and
- throughout Great Britain for a purpose connected to a railway or to anything occurring on or in relation to a railway. [3]

BTP officers are able to use their powers on or off duty and in uniform or plain clothes regardless of whether they are in possession of their warrant card. BTP uniforms are similar and the rank system identical to other British police forces. The distinctive black jerseys with a black and white chequered pattern on the yoke have been replaced with black Windstopper fleeces.

**Railway crimes** 8.6 million people use the rail network every day and mission BTP is to help get people home safe, secure and on time. Police Britain's railways, providing a service to rail operators, their staff and passengers across the country. Also police the London Underground, Docklands Light Railway, the Midland Metro tram system, Croydon Tramlink, Tyne and Wear Metro, Glasgow Subway and Emirates AirLine [4].

Here are some articles taken from the official British Transport Police website.

The first one is about women who stealing luggage on a train to Cardiff. On 11 September 2018, Al-Fahad boarded a service from London Paddington to Cardiff Central station. On boarding the service, she struck up a conversation with a fellow female passenger, offering to help with her luggage. As she left the service, Al-Fahad picked up her bag from the luggage rack and stole the victim's suitcase at the same time. The victim

didn't realise her luggage had been taken until her arrival at Swansea station. Following CCTV footage and enquiries with the Paddington ticket office, officers were able to trace the bank card transaction and identify Al-Fahad.

On 12 November 2018, officers attended her address where they found the majority of the items from the suitcase, containing designer clothes and jewellery, which came to a total value of £76,559. Officers examined the items and established they were genuine and belonged to the victim. [5]

Al-Fahad later pleaded guilty to theft. Hajar Hamad Al-Fahad, 26, and of Blackmoor place, Llanrumney, was sentenced at Cardiff Crown Court on Thursday 10 September. She was handed a sentence of eight months in prison, suspended for 12 months, and was ordered to carry out a 20-day rehabilitation activity requirement and 150 hours unpaid work.

The second one is about assault at Oxford Circus underground station. Just after 8pm on 23 August, the victim alighted from a southbound Bakerloo Line train onto the Oxford Circus underground platform. The victim was then approached by a man he didn't know who asked if he was Muslim. A verbal exchange took place before the victim was lifted into the air by the man and thrown to the floor, causing the victim facial injuries and bruising to his limbs and body. The identity of the offender is established and verified.

The third story is about following train derailment. British Transport Police (BTP) were called to the line in Stonehaven, Aberdeenshire at 09.43am this morning (12 August) following a report that a train travelling from Aberdeen to Glasgow Queen Street had derailed. Very sadly despite the best efforts of paramedics, we can confirm that three people have been pronounced dead at the scene. Six people have been taken to hospital to be treated for injuries, which thankfully are not believed to be serious.

#### **Список використаних джерел**

1. British Transport Police: URL: <http://www.btp.police.uk/> (дата звернення 7 жовтня 2020).
2. British Transport Police Authority website: URL: <https://btpa.police.uk/> (дата звернення 7 жовтня 2020).
3. Railways and Transport Safety Act 2003: <https://www.legislation.gov.uk/ukpga/2003> (дата звернення 7 жовтня 2020).
4. URL: [https://en.wikipedia.org/wiki/British\\_Transport\\_Police](https://en.wikipedia.org/wiki/British_Transport_Police) (дата звернення 7 жовтня 2020).
5. British Transport Police Facebook/@britishtransportpolice (дата звернення 7 жовтня 2020).

**Голомовзий О.**, курсант Національної академії внутрішніх справ  
**Консультант з мови: Сторожук О.**

## **FOREIGN EXPERIENCE IN THE SPHERE OF UNDER AGE CRIMINAL COUNTERACTION AND THE PERSPECTIVES OF ITS ENFORCEMENT IN UKRAINE**

The aim of the article is to analyse combating organized crime in the financial system of Ukraine and abroad; develop specific proposals to optimize the legislative provision of such activities on the basis of the study of positive foreign experience with a view to its further implementation into the relevant legal regulations of our state.

The subject of the study is the interrogation of legal regulations of leading foreign countries that regulate the issue of combating organized crime in the financial sphere, the principles of the activities of these countries' respective organizations aimed at counteracting organized crime in the financial system, as well as state mechanisms for countering organized crime in the US financial system, European and other countries. The study is based on general scientific and special-scientific methods and techniques of scientific knowledge. The dialectical method enabled to formulate the definition and determine the essence of the subjects in the system of combating crime, as well as mechanisms of anti-shadowing of the Ukrainian economy. The normative-dogmatic method enabled to interpret the content of legal regulations of domestic legislation that regulate the issue of organized crime in the financial system. The comparative legal method enabled to compare doctrinal approaches to the issue of organized crime in the financial system of Ukraine and abroad.

The same method was used to analyse legislation of foreign countries regarding the issue under the study. Methods of analysis and synthesis enabled to study individual units of the institute of organized crime in the financial system. The sociological method was used to evaluate the results of the survey, conducted among employees of the National Police of Ukraine, on the need to take into account foreign experience in counteracting organized crime in the financial system. The method of legal modelling allowed making proposals regarding the improvement of the institute for combating organized crime in the financial system of Ukraine. Practical implications.[2]

The analysis of foreign experience of police activity, as well as special bodies and organizations, in combating organized crime in the financial system, carried out on the basis of a comparative legal study of principles, provided for in the international legal documents and their use in the police activities of democratic states, determined the expediency of their implementation in the police activities of the bodies of the National Police of Ukraine.

The study proved that the legal basis for combating organized crime in the financial system of the examined states is the constitution and national laws, as well as specialized legal regulations, which define the

status, rights and duties, the responsibility of employees of special subjects in combating organized crime in the financial system. In addition, in foreign countries, competencies are clearly distributed between national and special authorities to exclude duplication of powers. In view of the proved necessity of creating an effective system of counteraction to organized crime in the financial system of Ukraine, positive foreign experience implementation can become the driving force to strengthen the rule of law and legal order in our state. The evolution of public administration in European countries reflects the democratic path of development of political and legal organization of society on the basis of the rule of law, respect for the rights and freedoms of citizens. The fundamental difference between the legal systems of European countries is the desire to satisfy the public interest - a kind of necessary balance between private and public law interests of legal entities. Accordingly, the focus on the protection of human rights and freedoms, ensuring the observance and realization of human rights, freedoms and legitimate interests is one of the main criteria for distinguishing with the legal post-Soviet system, where man was considered a controlled object, whose rights and interests received, mostly, declarative consolidation.

It is important to emphasize the fundamental differences in approaches to understanding the term "public administration" in European and Soviet legal doctrines. As you know, in the latter its content was usually reduced to the administrative and executive activities of the executive branch (to public administration in the so-called "narrow" sense). Instead, the European principles of state formation correspond to a broad interpretation of the concept of "public administration".

Based on a broad doctrinal interpretation of the concept of "public administration", this paper will consider the systems of public administration in European countries, taking into account the traditional division of state power into legislative, executive and judicial branches. The peculiarities of the distribution of powers between public administration bodies will also be analyzed, taking into account the form of government, the form of government and the political regime inherent in a particular European state.[3]

At the same time, it is important to take into account the influence of EU bodies and institutions, as well as the Council of Europe (CoE) on the implementation of public administration at the national level.

In view of this, it is important to classify European countries on the basis of participation in a leading European regional organization.

The form of government is the latest external expression of the content of the state, which determines its structure and the legal population of the highest bodies of state power. The nature of the forms of government that exist in a state depends on the organization of the highest state power, or, as determined by some researchers, on the definition of the legal population of one higher body of state power - the head of state. In general, we can say that the form of government determines the structure of the state apparatus and the interaction between its individual parts.

### **Classification of European countries on the basis of membership in the European Union (EU)**

Sign	European states
EU member states	Republic of Austria, Republic of Bulgaria, Grand Duchy of Luxembourg, Hellenic Republic, Republic of Estonia, Spain, Ireland, Republic of Italy, Kingdom of Belgium, Kingdom of Denmark, Kingdom of the Netherlands, Kingdom of Sweden, Republic of Latvia, Republic of Lithuania, Portuguese Republic, Republic of Cyprus, Republic of Malta, Republic of Poland, Romania, Republic of Slovenia, Slovak Republic, Republic of Hungary, Czech Republic, Federal Republic of Germany, Republic of Finland, French Republic
Candidate countries to EU members	Republic of Croatia, Republic of Macedonia (former Federal Republic of Yugoslavia), Republic of Turkey
Other European countries	Bosnia and Herzegovina, Vatican City State, Principality of Andorra, Principality of Liechtenstein, Principality of Monaco, Kingdom of Norway, Republic of Albania, Republic of Belarus, Republic of Iceland, Republic of Moldova, Republic of San Marino, Russian Federation, Russian Federation - deration

Today, the state must introduce a more progressive system of social rehabilitation of children who have come into conflict with the law, which would meet modern requirements. International and domestic practice shows that the introduction of juvenile justice is an important factor that has a positive impact on society and strengthens the position of local communities. Restorative justice programs are an effective component of juvenile justice: it has an educational impact on the offender, prevention of recidivism, and promotion of social adaptation and reintegration of offenders into society. Given the above, we consider it necessary to introduce certain models and specific methods of juvenile justice in some regions of Ukraine, for example, through the implementation of a pilot project, and analyze their effectiveness, which may be the subject of further research. [1]

The Ukrainian state can and must use the experience of institutional reforms of the new member states and candidate countries to accelerate European integration processes, public administration reform and civil service. Implementation of the European choice, preparation for more



intensive cooperation with the EU, adaptation of internal rules, mechanisms and procedures to European integration should accelerate the implementation of public administration and institutional reforms in the country (administrative, administrative-territorial, political, judicial, budgetary and others). A renewed system of public power, reformed public administration and civil service will be catalysts for European integration.

#### **Список використаних джерел**

1. Зарубіжний досвід державного управління: доцільність і можливості застосування в Україні. Зарубіжний досвід державного управління – Національна ...academy.gov.ua › library\_nadu.

2. Organized crime in the financial system: foreign experience (pdf) organized crime in the financial system: foreign experiencewww.researchgate.net › 33109...

3. Council of Europe Action Plan for Ukraine 2018-2021 Council of Europe Action Plan for Ukraine 2018-2021 – Coerm.coe.int › coe-action-plan-f...

**Гончар Н.**, здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
**Консультант з мови: Лопуцько О.**

### **CRIMINAL LIABILITY OF MINORS IN UKRAINE**

Juvenile delinquency is constantly drawing attention to it. Today this is due to the fact that minors have always been recognized as criminals of the special genus and constitute one of the most criminally stricken population [2].

Under the current conditions of society, it is recognized that the use of medical and pedagogical measures alone is not sufficient for juvenile offenders. In some cases, the state is forced to bring them to justice responsibility [2].

Current law provides that persons who are 16 years old at the time of the crime are subject to criminal liability. Only some of the crimes specifically mentioned in the law are criminal responsibility can come from 14 years [4].

Pursuant to Article 22 (2) of the Criminal Code of Ukraine, persons who have committed crimes between the ages of fourteen and sixteen years are liable to criminal liability for: premeditated murder; encroachment on the life of a state or public figure, a law enforcement officer, a member of a public order and public order the border or military, judge, people's assessor or juror in connection with their activities related to the administration of justice, defense counsel or representative of a legal assistance activity, a representative of a foreign country; willful grievous bodily harm; deliberate moderate injury; sabotage; gangsterism; terrorist act; hostage-taking; rape; violent gratification of sexual passion in an unnatural way; theft; looting;

brigandage; deliberate destruction or damage to property, damage to roads communications and vehicles; hijacking or seizure of rolling stock, aircraft, sea or river craft, unlawful taking of a vehicle; hooliganism [1].

The current Criminal Code of Ukraine provides for a separate system of punishments that can be applied to minors found guilty of a crime.

Pursuant to Article 98 of the Criminal Code of Ukraine, the following basic types of punishment may be applied to minors found guilty of a crime:

1. Fine. The fine applies only to minors who have an independent income, their own money, or property that may be levied. The amount of the fine is set by the court depending on the gravity of the crime and taking into account the minor's financial status up to five hundred statutory non-taxable minimums income of citizens.

2. Public works. Public works may be assigned to a minor between the ages of 16 and 18 for a period of thirty to one hundred and twenty hours, and consists of performing underage work in his or her spare time or basic work. The duration of this type of punishment may not exceed two hours per day.

3. Corrective work. Corrective work may be assigned to a minor between the ages of 16 and 18 at the place of work for a period of two months to one year. The earnings of a juvenile sentenced to correctional labor are deducted from the court by the state, within the range of five to ten percent.

4. Arrest. The arrest consists of the detention of a minor who, at the time of sentencing, has reached the age of sixteen, under conditions of isolation in specially adapted institutions for a term of fifteen to forty-five days.

5. Imprisonment for a fixed term. Imprisonment for persons who have not attained the crime of eighteen years of age may not be imposed for a term exceeding ten years, for a particularly grave crime combined with intentional deprivation of life for a person not exceeding fifteen years. Imprisonment cannot be imposed on a minor who first commits a crime of slight gravity [1].

In punishing a juvenile court, in addition to the general principles of sentencing, circumstances that mitigate or aggravate punishment, take into account the conditions of his life and upbringing, the impact of adults, the level of development and other characteristics of the minor [3].

Pursuant to Article 45 of the Criminal Procedure Code of Ukraine, in the cases of persons suspected or accused of committing a crime under the age of 18, the mandatory participation of a defense counsel in the conduct of inquiry, pre-trial investigation and in criminal proceedings in a court of first instance (from the moment a person is recognized as a suspect) or being charged) [6].

Imprisonment for a term is the most severe punishment in the system of punishments that can be imposed on a minor [3].

Correctional penalties are imposed on imprisonment for a certain term in relation to convicted juveniles. These colonies occupy a special place among institutions intended to serve a sentence, which is expressed, first of all, in the establishment of more preferential conditions in comparison with the conditions of detention of adults, and, second, in the orientation to the use of various educational-psychological-pedagogical measures, such as main means of influence on minors in the course of their education, carrying out sports, cultural events, as well as in the course of their work [3].

Parents are not criminally responsible for crimes committed by minors or minors. But parents are civilly responsible for the harm caused to minors and minors, including those caused by the crime.

According to Article 1178 of the Civil Code of Ukraine, damage caused by a minor (who is under fourteen years old) is compensated by his parents (adoptive parents) or a guardian or other natural person who, on legal grounds, provides for the upbringing of the minor - if they do not will prove that the harm is not the result of the fraudulent exercise or evasion by them of the education and supervision of the minor [5].

A minor (between the ages of fourteen and eighteen) is responsible for the damage caused to him / her on a general basis. In the absence of property of a minor sufficient to compensate for the damage caused to him, the damage shall be compensated in the missing part or into the full extent by her parents (adoptive parents) or guardian, unless they prove that it was not their fault.

#### **Список використаних джерел**

1. Criminal Code of Ukraine. URL: <https://www.legislationline.org/documents/action/popup/id/16257/preview>
2. Burdin V. M. Features of juvenile criminal responsibility in Ukraine: monograph. K. : Attica, 2004.
3. Palyukh L. M. Forced educational measures: theory and practice of application: a textbook. Lviv: View of Lviv. un-tu, 2010.
4. Gonchar T. O. A minor as a subject of criminal responsibility in Ukraine: Abstract. dis.... cand. law. sciences: 12.00.08. Odessa, 2005.
5. Civil Code of Ukraine. URL: <https://cis-legislation.com/document.fwx?rgn=8896>.
6. Criminal Procedure Code of Ukraine. URL: <https://cis-legislation.com/document.fwx?rgn=52250>.

**Грабовська В.,** здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
**Керівник з мови: Могилевська В.**

## **LAW ENFORCEMENT IN THE UNITED STATES OF AMERICA**

The development of policing in the United States closely followed the development of policing in England. In the early colonies policing took two forms. It was both informal and communal, which is referred to as the “Watch,” or private-for-profit policing, which is called “The Big Stick”.

In 1838, the city of Boston established the first American police force, followed by New York City in 1845, Albany, NY and Chicago in 1851, New Orleans and Cincinnati in 1853, Philadelphia in 1855, and Newark, NJ and Baltimore in 1857 (Harring 1983, Lundman 1980; Lynch 1984). By the 1880s all major U.S. cities had municipal police forces in place.

Early American police departments shared two primary characteristics: they were notoriously corrupt and flagrantly brutal. This should come as no surprise in that police were under the control of local politicians.

Three compelling issues faced early American police departments: 1) should police be uniformed; 2) should they carry firearms; 3) how much force could they use to carry out their duties. Early police officers began carrying firearms even when this was not department policy despite widespread public fear that this gave the police and the state too much power.

Law enforcement in the United States is one of three major components of the criminal justice system of the United States, along with courts and corrections. Although each component operates semi-independently, the three collectively form a chain leading from investigation of suspected criminal activity to administration of criminal punishment. Also, courts are vested with the power to make legal determinations regarding the conduct of the other two components.

Law enforcement operates primarily through governmental police agencies. The law-enforcement purposes of these agencies are the investigation of suspected criminal activity, referral of the results of investigations to the courts, and the temporary detention of suspected criminals pending judicial action. Law enforcement agencies, to varying degrees at different levels of government and in different agencies, are also commonly charged with the responsibilities of deterring criminal activity and preventing the successful commission of crimes in progress. Other duties may include the service and enforcement of warrants, writs, and other orders of the courts.

Law enforcement agencies are also involved in providing first response to emergencies and other threats to public safety; the protection of certain public facilities and infrastructure; the maintenance of public order;

the protection of public officials; and the operation of some correctional facilities (usually at the local level).

The federal government of the United States empowers a wide range of law enforcement agencies to maintain law and public order related to matters affecting the country as a whole.

Speaking about statistics, in 2004, federal agencies employed approximately 105,000 full-time personnel authorized to make arrests and carry firearms in the 50 states and the District of Columbia. Compared with 2002, employment of such personnel increased by 13%. Moreover federal officers' duties include criminal investigation (38%), police response and patrol (21%), corrections and detention (16%), inspections (16%), court operations (5%), and security and protection (4%).

There is the US Department of Commerce Office of Security it is a division of the US Department of Commerce (DOC) that works to provide security services for facilities of the department. Its aim is to provide policies, programs, and oversight as it collaborates with facility managers to mitigate terrorism risks to DOC personnel and facilities and others.

The United States Army Criminal Investigation Command (USACIDC) investigates felony crimes and serious violations of military law & the United States Code within the US Army. The command is a separate military investigative force with investigative autonomy.

The United States Department of Health & Human Services (HHS), also known as the Health Department, is a cabinet-level executive branch department of the U.S. federal government with the goal of protecting the health of all Americans and providing essential human services. Its motto is "Improving the health, safety, and well-being of America".

#### **Список використаних джерел**

1. Langeluttig, Albert (1927). The Department of Justice of the United States. Johns Hopkins Press. pp. 9–14.

2. "History of the United States Postal Inspection Service". Retrieved 2020-02-06. <https://www.uspis.gov/about/history-of-uspis/>.

*Громазіна С.,* курсант Національної академії внутрішніх справ  
**Керівник з мови: Горбач О.**

### **SPEZIALEINHEITSPOLIZEI DER BRD GSG GRUPPE 9: GESCHICHTE UND GEGENWART**

#### **Geschichte**

GSG 9 Bundespolizei, ursprünglich Grenzschutzgruppe 9 (Grenzgruppe 9) – eine Spezialeinheit der Bundespolizei; eine der besten Einheiten im Kampf gegen den Terrorismus. Die Bildung der Einheit war

eine direkte Folge des erfolglosen Versuchs der bayerischen Polizei, zwei Hubschrauber mit Terroristen der Gruppe Schwarzer September und ihren Geiseln, Athleten der israelischen Mannschaft, auf dem Militärflugplatz Fürstenfeld in der Nähe von München zu beschlagnahmen. Nicht die geringste Rolle beim Tod der Geiseln spielten die allgegenwärtigen Reporter, die auf die Idee kamen, die Vorbereitungen für den Angriff auf die Luft zu übertragen. Wie dem auch sei, kurz darauf unterzeichnete der Innenminister eine Anordnung zur Einrichtung einer speziellen Task Force zur Bekämpfung des Terrorismus. Zur 9. Gruppe der Bundesgrenzpolizei gehörten zunächst 180 Beamte. Ulrich K. Wegener wurde zum Kommandeur ernannt. Bei der Gründung der Gruppe wurde die Erfahrung der Geheimdiensteinheit des Generalstabs der israelischen Streitkräfte "Sayeret Matkal" in großem Umfang genutzt, und der zukünftige Kommandeur der Gruppe absolvierte dort sogar ein Praktikum. Während der Olympischen Spiele in München 1972 nahm die palästinensische Terrororganisation Black September die israelische Nationalmannschaft als Geisel und forderte die Freilassung einer Reihe gefährlicher Krimineller aus Gefängnissen in Deutschland und Israel. Der Versuch der Freilassung endete mit dem Scheitern und dem Tod von 11 Athleten. Die deutschen Behörden erlaubten Israel nicht, seine Spezialeinheiten einzusetzen, um die Geiseln zu befreien, die zu diesem Zeitpunkt bereits über umfangreiche Erfahrung mit solchen Operationen verfügten, und die BRD verfügte noch nicht über eigene ähnliche Einheiten. Doch bereits 1973 bildete und bildete Oberstleutnant Ulrich Wegener eine Spezialeinheit aus, die bald zu einer der besten wurde in seiner Klasse. GSG-9 (Border Guard Group 9) ist kein Militär, sondern eine Polizeieinheit, da der Bundeswehr nach deutschem Recht der Einsatz von Waffen auf deutschem Gebiet untersagt ist [7].

**Die Hauptaufgaben der Gruppe sind:**

- Schutz hoher Beamter, bedeutender Staatsmänner und Politiker des Landes und anderer in Deutschland ankommender Staaten;
- Bekämpfung von Terroristen in Deutschland;
- Schutz deutscher Diplomaten und staatlicher Einrichtungen in Ländern mit instabiler politischer Situation [3].

**Auswahl und Vorbereitung**

Die Kandidaten werden auf freiwilliger Basis aus den Polizeibeamten des Bundesgrenzdienstes ausgewählt, die seit mindestens zwei Jahren im Amt sind. Mitglieder der Bundeswehr müssen aus ihren Reihen ausscheiden und dem Grenzdienst beitreten. Das Personal unterzieht sich einem dreitägigen Test auf psychische und physische Gebrauchstauglichkeit in der Einheit. Zusätzlich werden Schusswaffenfähigkeiten und Ausdauer getestet und eine ärztliche Untersuchung durchgeführt. Die Praxis zeigt, dass in diesem Zeitraum ungefähr zwei von drei Kandidaten eliminiert werden. Der Rest wird ein 22-wöchiges Trainingsprogramm haben, das sich auf Teambildung, Scharfschützen-Training und die Verbesserung der körperlichen und geistigen Ausdauer konzentriert. Das Personal studiert Taktiken und Waffen, trainiert Sicherheitsmaßnahmen, fährt Fahrzeuge, entführt

Flugzeuge, Züge, leistet Erste Hilfe und andere Fähigkeiten. Ein charakteristisches Merkmal dieser Phase ist die Tatsache, dass die Arbeit mit jedem Kadetten einzeln ausgeführt wird, d.h. ein Einzelkämpfer wird ausgebildet. Ein besonderer Platz in dieser Liste ist natürlich das Feuerkrafttraining. Für Spetsnaz-Soldaten ist ein besonders wichtiger Indikator das Ergebnis des Schießens und die Fähigkeit, verschiedene Arten von Waffen einzusetzen. Daher werden zukünftige Spezialisten in fast allen Arten von Feuerübungen geschult. Sie lernen, mit Hubschraubern, mit Autos, Eisenbahnwaggons, unter feindlichem Beschuss, von den Dächern von Gebäuden und Bauwerken, im Wasser usw. zu schießen. Für alle drei Stunden des Tagesschießens gibt es eine Stunde in der Nacht [5]. Auf der Grundlage der Gruppe in St. Augustine bei Bonn gibt es eine Trainingsanlage (nach einigen Quellen 9 Millionen Mark wert) mit Simulatoren zum Üben einer Vielzahl von Situationen, in denen Waffen eingesetzt werden müssen, sowie einen Schießstand. Ein spezieller Kurs in Psychologie des Terrorismus hilft den Auszubildenden, die Merkmale des Verhaltens, der Beziehungen und Motivationen von Mitgliedern extremistischer Gruppen im Detail zu verstehen. Ein wichtiges Thema ist die Untersuchung der Taktik der psychologischen Auswirkungen auf Terroristen in einer bestimmten operativen Situation. Die Vorlesungen wechseln sich mit praktischen Übungen ab, in denen je nach Situation Varianten eines solchen Einflusses "ausgespielt" werden. Die Situationen werden normalerweise aus dem Leben genommen. Am Ende dieser Phase - wieder eine Reihe von Tests und Prüfungen in den folgenden Disziplinen: Nahkampf, allgemeines körperliches Training (Wurfmarsch, Langlauf, Schwimmen, Tauchen, Bergsteigen, Fallschirmtraining), Forensik und Recht. Eine unbefriedigende Note in mindestens einem der Fächer bedeutet den Ausschluss aus der Trainingseinheit. In der Praxis beträgt die Anzahl der zu diesem Zeitpunkt ausgewiesenen Personen immer noch etwa 10% der Gesamtzahl der Probanden [6]. Für diejenigen, die alle vorherigen Etappen mit Bravour bestanden haben, gibt es eine spezielle dreimonatige Schulung in der Zusammensetzung von Angriffsgruppen und operativen Einheiten. In dieser Zeit lernen die Kadetten, die früher in der Praxis erworbenen Kenntnisse und Fähigkeiten anzuwenden. Sie werden dabei von erfahrenen Ausbildern und Trainern unterstützt, die in ausländischen Spezialdiensten geschult sind. Die Gruppen reisen zu Übungsplätzen, wo sie die Beschlagnahme eines Gebäudes oder Fahrzeugs simulieren, in dem sich eine terroristische Bande niedergelassen hat, die Freilassung von Geiseln, die Verfolgung bewaffneter Gruppen in bewaldeten und sumpfigen Gebieten oder in den Bergen. Den Kadetten wird beigebracht, in einer Umgebung zu handeln, die dem wirklichen Leben so nahe wie möglich kommt, und mit voller Kraft zu arbeiten. Viel Zeit wird dem leichten Tauchen, der Bergrettung und dem Training in der Luft, dem Studium subversiver Arbeit und den Methoden zur medizinischen Versorgung verschiedener Verletzungen und Wunden gewidmet. Spezielle Kampftaktiken in der Stadt werden untersucht, neue Strategien werden gemeinsam entwickelt und neue Systeme zur Lösung verschiedener

Kampfmissionen werden entwickelt. Laut dem GSG 9-Befehl trägt die funktionale Austauschbarkeit zu einer hohen Kampfeffektivität und Koordination der Aktionen von Kämpfern bei. Daher sollte jeder von ihnen so viele Spezialitäten wie möglich besitzen: einen Scharfschützen, einen Abbruchmann, einen Suchhundeführer, einen Signalmann, einen Sanitäter, einen Fahrer. Soldaten lernen auch Fremdsprachen, da sie sehr oft mit Terroristen in ihrer Muttersprache verhandeln müssen. Es versteht sich von selbst, dass das Sprachtraining von seiner besten Seite sein muss, um Unklarheiten in einem so gefährlichen Geschäft zu vermeiden. In GSG-9 werden Mitarbeiter der Bundespolizei und des Bundesgrenzschutzdienstes sowie pensionierte Militäranghörige der Bundeswehr ausgewählt. Für die Zulassung zur Bildungseinheit machen die Kandidaten einen Fitnesstest: 5000 Meter in 23 Minuten laufen; 100 Meter in 13,4 Sekunden laufen; 7 Klimmzüge an der horizontalen Stange; 80 Körper hebt sich aus einer liegenden Position; Weitsprung - mindestens 475 Zentimeter [2].

#### **Список використаних джерел**

1. <https://www.youtube.com/watch?v=6XW0ZQolsdQ>.
2. [https://ru.wikipedia.org/wiki/GSG\\_9](https://ru.wikipedia.org/wiki/GSG_9).
3. <https://invoen.ru/obshhie-voprosy/gruppa-gsg-9-federalnoj-politsii-germanii/>.
4. <https://www.pinterest.ru/pin/91901648630943800/>.
5. <https://lastday.club/gsg-9-specnaz/>.
6. [http://spec-naz.org/dossier/Germany/gsg\\_9/](http://spec-naz.org/dossier/Germany/gsg_9/).
7. [https://web.archive.org/web/20121019234206/http://www.bundespolizei.de/DE/06Die-Bundespolizei/Organisation/BPOLP/GSG9/gsg9\\_node.html](https://web.archive.org/web/20121019234206/http://www.bundespolizei.de/DE/06Die-Bundespolizei/Organisation/BPOLP/GSG9/gsg9_node.html).

*Денисюк М., курсант Національної академії  
внутрішніх справ*

**Консультант з мови: Богущий В.**

### **WHAT IS KNOWN ABOUT AMERICAN YOUTH GANGS?**

Aside from the high rate of criminal activity among gang members, what is known about this adolescent phenomenon? What risk factors are associated with the emergence of gangs, and who joins these gangs once they have formed? Are gang members stable or transient? Are they delinquent prior to their gang associations? Are there identifiably different social processes (reasons for joining the gang or expected benefits from gang life) involved for girls and boys who join gangs? These are some of the questions that should help to shape gang prevention efforts.

In spite of years of research and years of suppression, intervention, and prevention efforts, considerable disagreement exists regarding the nature and extent of youth gangs. Debate still centers on how to define gangs. For instance, how many youth constitute a gang? Must the gang members commit crimes as a gang to be considered a gang? Must gangs have an organizational structure? Should skinhead groups, white



supremacist groups, and motorcycle gangs be considered part of the youth gang problem? These definitional questions reveal both a lack of consensus about the magnitude of the gang problem and confusion about what policies might best address it [1].

Generally, for a group to be classified a youth gang, the following elements should exist:

- The group must have more than two members. Given what is known about youth offending patterns (most offenses are committed in groups of two or more) and what has been learned from studying gangs, a gang seldom consists of only two members.

- Group members must fall within a limited age range, generally acknowledged as ages 12 to 24.

- Members must share some sense of identity. This is generally accomplished by naming the gang (often referring to a specific geographic location in the name) and/or using symbols or colors to claim gang affiliation. Hand signs, graffiti, specific clothing styles, bandannas, and hats are among the common symbols of gang loyalty.

- Youth gangs require some permanence. Gangs are different from transient youth groups in that they show stability over time, generally lasting a year or more. Historically, youth gangs have also been associated with a particular geographical area or turf.

- Involvement in criminal activity is a central element of youth gangs. While some disagreement surrounds this criterion, it is important to differentiate gangs from noncriminal youth groups such as school and church clubs, which also meet all of the preceding criteria [2].

To prevent gangs from forming and to keep juveniles from joining existing gangs, it is necessary to understand the causes of gang formation and the underlying attraction of gangs. A considerable number of theoretical statements address these issues.

They believed that delinquency in gen rat and youth gangs in particular were products of the social environment and that these societal factors may also contribute to juveniles' joining gangs. However, because most youth who reside in areas where gangs exist choose not to join these gangs, additional factors are required to explain why youth join gangs.

What conclusions can be made about gang prevention strategies? In regard to primary prevention, three facts are particularly salient. First, gang formation is not restricted to urban, underclass areas. Second, gang members come from a variety of backgrounds; they are not exclusively male, urban, poor, minority, or from single-parent households. Third, once juveniles join a gang, they engage in high levels of criminal activity. Therefore, it is appropriate to formulate primary gang prevention efforts that target the entire adolescent population.

#### **Список використаних джерел**

1. Covey, H. C., Menard, S., and Franzese, R. J. 1997. Juvenile Gangs, 2d ed. Springfield, IL: Charles C. Thomas. URL:

<https://digitalcommons.law.ggu.edu/cgi/viewcontent.cgi?article=1028&context=ojjdp> (дата звернення 12.10.2020).

2. Curry, G. D., and Decker, S. H. 1998. Con-fronting Gangs: Crime and Community. Los Angeles, CA: Roxbury. URL: <https://digitalcommons.law.ggu.edu/cgi/viewcontent.cgi?article=1028&context=ojjdp> (дата звернення 12.10.2020).

*Дзюба Ю.*, здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
**Керівник з мови: Могилевська В.**

## **CANADA: CYBER THREATS AND WAYS TO PREVENT THEM**

Cyber-espionage, cyber-sabotage, cyber-foreign-influence, and cyber-terrorism pose significant threats to Canada's national security, its interests, as well as its economic stability. Cyber threat actors conduct malicious activities in order to advance their geopolitical and ideological interests. They seek to compromise both government and private sector computer systems by using new technologies such as Artificial Intelligence and Cloud technologies or by exploiting security vulnerabilities or users of computer systems. Such activities are collectively referred to as "Computer Network Operations", or CNOs. State-sponsored entities and terrorists alike are using CNOs directed against Canadians and Canadian interests, both domestically and abroad. Canada remains both a target for malicious cyber activities, and a platform from which hostile actors conduct CNOs against entities in other countries.

State-sponsored cyber threat-actors use CNOs for a wide variety of purposes. These include theft of intellectual property or trade secrets, disruption of critical infrastructure and vital services, interference with elections, or conducting disinformation campaigns. In addition, non-state actors such as terrorist groups also conduct CNOs in order to further their ideological objectives such as recruitment and distribution of propaganda.

Canada's National Cyber Security Strategy views cyber security as an essential element of Canadian innovation and prosperity. CSIS, along with partners, particularly the Communications Security Establishment's Canadian Centre for Cyber Security, plays an active role in shaping and sustaining our nation's cyber resilience through collaborative action in responding to evolving threats of malicious cyber activity.

According to reports from the Canadian Security Service, the most popular cybercrimes in Canada are:

1. Violent Extremists and Terrorists

Religiously Motivated Violent Extremism (RMVE)

Ideologies that underpin RMVE often cast an individual as part of a spiritual struggle with an uncompromising structure of immorality. RMVE ideologies assure their adherents that success or salvation – either in a physical or spiritual realm can only be achieved through violence.

### Politically Motivated Violent Extremism (PMVE)

PMVE narratives call for the use of violence to establish new political systems – or new structures and norms within existing systems. Adherents focus on elements of self-determination or representations rather than concepts of racial or ethnic supremacy.

### Ideologically Motivated Violent Extremism (IMVE)

IMVE is often driven by a range of grievances and ideas from across the traditional ideological spectrum. The resulting worldview consists of a personalized narrative which centres on an extremist's willingness to incite, enable and or mobilize to violence. Extremists draw inspiration from a variety of sources including books, images, lectures, music, online discussions, videos and conversations. Examples of such extremism: Xenophobic Violence, Anti-authority Violence, Gender-driven Violence.

### 2. Espionage and Foreign-Influenced Activities

These activities are almost always conducted to further the interests of a foreign state, using both state and non-state entities. Espionage and foreign-influenced activities are directed at Canadian entities both inside and outside of Canada, and directly threaten Canada's national security and strategic interests.

These threats continue to persist and, in some areas, are increasing. Canada's advanced and competitive economy, as well as its close economic and strategic partnership with the United States, makes it an ongoing target of hostile foreign state activities. Canada's status as a founding member of the North Atlantic Treaty Organization (NATO) and its participation in a number of multilateral and bilateral defence and trade agreements has made it an attractive target for espionage and foreign interference.

Canadian interests can be damaged by espionage activities through the loss of sensitive and or proprietary information or leading-edge technologies, and through the unauthorized disclosure of classified and sensitive government information. A number of foreign states continue their attempts to covertly gather political, economic and military information in Canada. Multiple foreign states also target non-government organizations in Canada—including academic institutions, other levels of government, the private sector and civil society—to achieve these goals.

Foreign governments also continue to use their state resources and their relationships with private entities to attempt foreign interference activities in Canada. These activities are carried out in a clandestine or deceptive manner and can target communities or democratic processes across multiple levels throughout the country. Foreign powers have attempted to covertly monitor and intimidate Canadian communities in order to fulfill their own strategic and economic objectives. In many cases, clandestine influence operations are meant to support foreign political agendas—a cause linked to a conflict abroad—or to deceptively influence Government of Canada policies, officials or democratic processes.

There are ways to overcome these threats:

1. The Privacy Act (hereafter the “Act”) came into force on July 1, 1983. Under subsection 12(1) of the Act, Canadian citizens, permanent residents and individuals present in Canada have the right to access personal information that is under the control of the Government of Canada. This right of access is balanced against the legitimate need to protect sensitive information and to permit effective functioning of government, while promoting transparency and accountability in government institutions.

In addition, the Act protects an individual’s privacy by preventing others from accessing his or her personal information, and manages the collection, retention, use and disclosure of personal information.

Section 72 of the Act requires the head of every government institution to submit an annual report to Parliament on the administration of the Act during the fiscal year. This report describes how the Canadian Security Intelligence Service (CSIS) administered the Act throughout the 2018-2019 fiscal years.

## 2. Canadian Security Intelligence Service

In 1984, the Government of Canada passed an Act of Parliament for the creation of a civilian security intelligence service. This legislation not only gave birth to CSIS, it also clarified the differences between security intelligence activities and law-enforcement work, bringing to an end the 120-year interlocking of Canada's security intelligence service with the federal police force. CSIS came into existence on July 16, 1984.

CSIS is at the forefront of Canada's national security establishment and as such, its programs are proactive and pre-emptive. Its role is to investigate activities suspected of constituting threats to the security of Canada, and to report on these to the Government of Canada. CSIS may also take measures to reduce threats to the security of Canada in accordance with well-defined legal requirements and Ministerial direction. Key threats include terrorism, espionage, foreign interference, the proliferation of weapons of mass destruction and cyber-threats against critical information systems and infrastructure.

Through its Security Screening Program, CSIS provides advice that prevents non-Canadians who pose security concerns from entering Canada or receiving permanent resident status or citizenship. CSIS also helps prevent individuals of security concern from gaining access to Canadian information, assets, sites or events.

## Список використаних джерел

1. Canadian Security Intelligence Service  
<https://www.canada.ca/en/security-intelligence-service.html>.

2. Public Safety Canada <https://www.publicsafety.gc.ca/index-en.aspx>.

3. Office of the Privacy Commissioner of Canada  
<https://www.priv.gc.ca/en/opc-actions-and-decisions/research>.

*Дідовець Я., здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
Консультант з мови: Ченківська Н.*

## **HOW TO PROTECT YOURSELF FROM INTERNET FRAUD**

From sophisticated spyware attacks to mass phishing via smartphones and the rise of facial recognition technology, the range and reach of surveillance threats to human rights defenders is growing. Internet crime schemes are different, they steal millions of dollars each year from victims, they steal your personal information and continue to plague the Internet through various methods.

Internet scams come in many forms, including emails that attempt to trick you into handing out financial information, pop-ups loaded with malware, and social media messages crafted to spark fake romantic relationships. The number of complaints of internet crimes jumped 17 percent from 2017 to 2018, according to the FBI's Internet Crime Complaint Center.

Internet scams continue to evolve, and can vary widely. The term generally refers to someone using internet services or software to defraud or take advantage of victims, typically for financial gain. Cybercriminals may contact potential victims through personal or work email accounts, social networking sites, dating apps, or other methods in attempts to obtain financial or other valuable personal information. Many successful internet scams have similar endings: victims either lose their own money or fail to receive funds the fraudster promised. Nowadays smartphones are hacked more often as people use them every day, so smartphones are the main target.

So how to protect yourself from internet frauds? First of all, you can file a complaint with the FBI's Internet Crime Complaint Center, which is the central point for tracking patterns of fraud and abuse related to internet crimes. The center reviews complaints, analyzes data, and creates intelligence reports that highlight emerging threats and new trends. Knowing how internet crimes work helps people understand the dangers involved and identify the fraud before falling prey to it. The center may forward certain investigations to appropriate law enforcement agencies, which may bring legal action against the perpetrators.

After you file the report, the Center recommends keeping any copies of evidence related to your complaint, such as canceled checks, receipts, emails or chat transcriptions. These may help the FBI investigate widespread crimes.

Next methods is setting up multilayered security features. Some online accounts offer an extra layer of security known as multifactor authentication (also called two-factor authentication). This requires two or more credentials when you log in to an account. For instance, this can be a combination of a password plus something you have (such as an additional passcode sent to your phone) or something you are (such as fingerprint or

facial recognition). So if a scammer does get your username and password, multifactor authentication makes it harder to log in to your accounts.

Installing antivirus software is a good idea. Antivirus, or security software is designed to prevent malware from embedding on your computer or device. If the software detects malicious code, like a virus or a worm, it works to disarm or remove it. This could help protect your devices if you accidentally click a dangerous link. The antivirus software can fight the malware and safeguard your files.

When you connect to Wi-Fi in a cafe or airport your internet activities are routed through that network. If attackers are on the network, they could capture your personal data. By using a VPN app on your devices, you protect your online activities when accessing public connections, preventing your internet activities from being seen by others on the same network. If you want to explore options, try NordVPN and TunnelBear.

Always be sure you download software apps and services only from official vendor sites.

Backing up your data is an important thing to do regularly. It's a good idea to regularly make copies of your data in case it's compromised in a malware attack. The backups should be copied to an external hard drive or cloud storage and not your home network. Back up the data on all your devices, including your smartphone.

And the last one, don't trust unsolicited phone calls or emails. If someone calls or emails claiming to be a tech expert, don't accept help, give out personal or financial information, or allow them to remotely access your computer. Instead, ask for proof of identity and research the company.

Therefore, the Internet can be a dark place where virtual thieves can steal your money, your password, and even your identity. But if you follow these rules, you can protect yourself from Internet fraud.

#### **Список використаних джерел**

1. URL: <https://us.norton.com/internetsecurity-how-to-5-ways-you-can-help-yourself-stay-secure-online.html> (дата звернення 06.11.2020).

2. URL: <https://www.fbi.gov/investigate/cyber10> critical steps to help protect yourself online (дата звернення 06.11.2020).

*Драган Д.*, курсант Національної академії внутрішніх справ

**Консультант з мови: Богущкий В.**

## **COMBATING CORRUPTION IN FOREIGN COUNTRIES**

Today, the issue of fighting corruption is most important in every sphere of human life. It threatens the sustainable economic and democratic, social development of the country.

World experience of fighting corruption starts in 1897. There is a large number of world organizations involved in this issue, as well as international legislative acts such as United Nations Declaration against

Corruption and Bribery in International Commercial Transactions, 1996, United Nations Convention against Corruption, 2003, Council of Europe Criminal Law Convention on Corruption, 2006 etc. [4].

We will tell you how global the problem of corruption is in countries around the world such as India, New Zealand and the United States.

*Corruption in India.* The reasons for corruption within Indian police are generally related to the colonial model of policing and the lack of accountability in the law enforcement system of the country. The police were organized as a colonial force in the period of British rule in India. Poorly paid and badly trained Indian police were given extraordinary discretionary judgments and broad authorities to deal with the native population. The police were created to strike terror in the hearts of the people so that they could not pose any challenge to British rule. Unfortunately the police system deliberately designed to subjugate the local people and promote colonial interests was nevertheless maintained after the country gained independence.

Police corruption is a specific form of police misconduct designed to obtain financial benefits, other personal gain, or career advancement for a police officer or officers in exchange for not pursuing, or selectively pursuing, an investigation or arrest. The prevailing form of police corruption is demanding or accepting bribes in place of not reporting organized drug or prostitution rings or other illegal activities. Another example is when law enforcers flout the code of conduct in order to secure convictions of suspects through the use of falsified evidence. There are cases where police officers deliberately and systematically participate in organized crime themselves [3].

*Corruption in New Zealand.* New Zealand is regarded as having one of the lowest levels of perceived corruption in the world. Transparency International's 2016 Corruption Perceptions Index ranks the country first place out of 176 countries. New Zealand had previously topped the index for seven consecutive years until 2013; it dropped to second place in 2014 and fourth in 2015. New Zealand has ratified several important international anticorruption conventions such as the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and the United Nations Convention against Corruption.

New Zealand has some investigative agencies that help combat against corruption. First of them is the Independent Police Conduct Authority (IPCA) is an independent civilian oversight body that considers complaints against the New Zealand Police and oversees their conduct. It derives its responsibilities and powers from the Independent Police Conduct Authority Act. Under section 12.1 of the Act, the Authority's functions are to receive complaints alleging misconduct or neglect of duty by police employees; or concerning any practice, policy, or procedure of New Zealand Police and to take action as contemplated by the Act. It may also investigate any Police incident involving death or serious bodily harm and

make recommendations to the Commissioner of Police based on those investigations [2].

*Corruption in the United States.* The most determined policy in the fight against corruption by means of legislative means is the United States. At the international level it is recognized that the criminal legislation of this country contains a broader concept of criminal corruption than in Europe, which pays no less attention to the problem of corruption. US law provides for punishment for active and passive bribery in the form of a fine, the amount of which is calculated by a triple bribe size, or imprisonment up to 15 years. Both can be combined by court order. For stimulating the commission of lawful actions by an official, i.e. for giving and receiving "tips", US law provides for a fine, the size of which determines the court, or imprisonment for up to 2 years, or the combination of both. A separate rule of the US law provides for criminal liability of the heads of banks for providing a loan or a cash gift to the inspector or assistant inspector who checks the bank or has the right to inspect it. This rule is the prevention of bribery.

The special rule concerns active and passive bribery of employees of the federal banking system, aimed at obtaining a loan. The article provides for a fine of up to 1 million dollars or triples the value of a thing given, offered, promised, solicited, demanded, accepted or accepted by the bribed. Provision is also made for imprisonment up to 30 years, or for combining both. If the value of a bribe did not exceed 1 thousand dollars, then the deprivation of liberty cannot be more than one year. Criminal punishment is the requirement or receipt of money or property values in order to facilitate the device for public service [1].

There are many methods to overcome this phenomenon, but there are only few of them that can be considered as democratic ones: the creation of committees which are fighting corruption; application of sanctions; increasing salaries of civil servants to a high level; increasing the independence of judicial system, etc. The knowledge of the reforms in higher educational institutions must be transparent. This issue is very acute in many countries, and our country, unfortunately, is of no exception. This can be helped by such a tool as social advertising (the creation of posters with slogans against corruption and the importance of quality education). It is necessary to raise the level of consciousness of students and stop the bribery in the system of higher learning. Evidently, corruption is a problem for education systems around the world. A lot must be done to prevent it. It is being taken seriously enough now.

#### **Список використаних джерел**

1. Americas: Weakening Democracy and Rise in Populism Hinder Anti-corruption Efforts. URL: <https://www.linkedin.com/pulse/americas-weakening-democracy-rise-populism-hinder-efforts-na-putra> (дата звернення 28.10.2020).

2. Gregory, Robert. "Assessing 'Good Governance' and Corruption in New Zealand: 'Scientific' Measurement, Political Discourse, and Historical



Narrative". Institute for Governance and policy Studies. URL: <https://researcharchive.vuw.ac.nz/xmlui/handle/10063/8132> (дата звернення 28.10.2020).

3. India Corruption Study – 2008. Transparency International India, Lajpat Bhawan, Lajpat Nagar IV, New Delhi. URL: <https://transparencyindia.org/wp-content/uploads/2019/04/India-Corruptino-Study-2008.pdf> (дата звернення 28.10.2020).

4. Transparency International. "Corruption Perceptions Index 2018". URL: <https://www.transparency.org/en/publications/corruption-perceptions-index-2018> (дата звернення 28.10.2020).

*Дубина А.,* курсант Національної академії  
внутрішніх справ

**Консультант з мови: Харчук Н.**

## **STANDARDS OF THE FBI ACADEMY IN THE USA**

At the modern terms in the United States of America (the USA) one of the most difficult structured constabulary systems function enough successfully. In the USA constabulary educational establishments exist as independent (Academy of FBI) or on the base of civil universities. Actually the first constabulary schools arose up exactly on the base of civil universities. A profession of policeman or employee of federal law-enforcement agency in the USA is high-prestige and well-paid. A competition for place in a large constabulary department presents 20–40 persons. And in such authoritative agency, as FBI, a competition can reach to several hundred persons into one place. General requirements at the selection of candidates are: 1) American citizenship or citizenship of North Marianas; 2) ages from 23 to 37; 3) an educational level is higher four-year-old education in a college or university (Bachelor's degree); 4) three years work experience; 5) presence of actual driving licences.

Curriculum consists of an arrest and registration of procedure, previous methods of investigation, passwords of radio contact, stowage of reports, investigation of traffic and providing of safety of travelling motion. It also includes the extreme driving of car "the Operative course", pursuit and safe management. The next point is the safe handling with shooting weapon, how to care about weapon, firing, tactical manipulation lateral-flow gun, chemicals, cleaning (more insistent it is not recommended to call candidates to instructions from firing before included in Academy of Police. Bad habits of firing can be turned out, and then difficult or it will be impossible to overcome). The other important things are studies about the culture of relations, containing course «sexual solicitations», question of relationships with mass medias, stress control, enlightening in the questions of disability, communal relations, tactical connections, crimes from reasons of hatred, disappearing without a new, and violence, in family. It also embraces a search and fascination of criminal, certificate, charters of arrest,

crimes against "personality and to property", sexual crimes against children. Other articles of the laws, plugged in the Californian criminal code, Municipal code of Los Angeles, federal laws etc.

The curriculum promotes forces of organism through positive attitude toward a fitness. He also embraces preparation in the special methods of arrest, self-defence without a weapon. It is taught to the methods and procedures of patrolling; the special training include for itself "Advanced" tactical preparation, tactics of the Mobile power field, "Patrol

Along", mobile side computer in a car, control of the use of alcohol, administrative discipline, cultural variety, "K-9" of operation, operations of support from air, "Bomb Squad"

In the USA the graduating students of academies, coming on service, pass severe and careful preparation, through that that except the skills got in educational establishment, a policeman must know politics, methodology, rules, instructions and to a full degree to present to the soba, how correctly to execute the work. It is therefore given the graduating students of academy 2 weeks.

#### **Список використаних джерел**

1. URL: <http://police-reform.khpg.org/>.
2. URL: <http://yurpsy.com/files/xrest/9/029.htm>.
3. Savchenko A. B. Federal law enforcement authorities of the USA : mission, organizational structure and application of criminal legislation : o f навч. manual / of Савченко А. В. - К. : "Text", 2003. are 122 p.s
4. Savchenko A. A national academy is FBI of the USA: look of her graduating student / A. B. Савченко // eyes Militia of Ukraine. - 2000. - № 11/12. - С. 26–29.

*Думан Р., курсант Національної академії  
внутрішніх справ*

*Консультант з мови: Скриник М.*

### **ANTI-CORRUPTION METHODS IN THE POLICE SYSTEM**

Addressing police corruption is essential to maintain public order and the rule of law, to support the legitimacy of the state and to maintain or restore public trust in democratic processes and institutions. Since the considerable powers entrusted to law enforcement officers can be easily manipulated for private gain or political purposes, there are many linkages between police corruption and human right abuses that can further undermine internal security and abet abuses of civil and political rights. Empirical evidence suggests that strengthening the accountability of law enforcement institutions is of critical importance to effectively combat corruption and break the circle of impunity, especially in countries affected by high levels of organised crime.

Police corruption is now increasingly understood as a product of both organisational weaknesses and larger systemic issues such as the lack

of transparency, the absence of checks and balances, inadequate legal frameworks, weak rule of law and fragile institutions. Other contributing factors identified in the literature, include challenges to exert managerial oversight of on-the-ground police actions, peer group secrecy, low pay and frequent contacts with criminals who have both resources and incentives to corrupt the conduct of police officials.

This understanding has led to the development of more comprehensive approaches to fight police corruption, based on the recognition that successful anti-corruption strategies must integrate both punitive and preventative approaches and coordinate reforms that focus on issues of enforcement, changes in institutional design, as well as public education and participation.

**Preventative approaches** The overarching goal of preventative approaches to police corruption is to change the underlying structures that encourage corruption and create an institutional environment that decrease incentives and opportunities for corrupt practices. This can be done by reforming the management systems and organisational culture of the institution with measures aimed at promoting integrity at all levels of the police institution, strengthening accountability mechanisms and engaging with the community.

**Human resource management systems** Poor terms and working conditions can provide both incentives and opportunities for police officers to resort to corruption. Human resource management is therefore a critical area to consider for minimising police corruption risks, as it lies at the core of the organisation's incentive system.

**Recruitment and promotions** Appointment procedures must be open, fair and transparent to recruit the candidates with the highest professional qualifications and ethical standards. Similarly, it is important to establish a robust and transparent merit-based promotion system, based on fairness, openness, ability and performance. Policies should also be implemented to ensure regular staff rotation in high risk positions.

**Salaries and benefits** As low wages are likely to provide negative incentives to police officers, living wages should be provided to members of the force with regular and reliable salary payments. In Singapore, for example, increasing the salaries of civil servants and political leaders with the view to making them more competitive with the private sector has been an integral part of the efforts to decrease the opportunities and incentives for corruption (Quah, S.T., 2007). In Afghanistan, police reform includes measures aimed at reducing the excessive numbers of senior officers and using the savings to increase the salaries of rank and file officers (USAID, 2007). However, most studies also agree that increasing salaries without effective monitoring systems as well as enforcement of sanctions is unlikely to have an impact on corruption.

**Training and development** As part of the efforts to promote professional and merit based career standards, police staff need to be equipped with the skills to perform their function in a professional,

impartial and ethical manner. To achieve this goal, police forces should be able to rely on training and development systems that promote high standards of professionalism and ethics. This includes capacity building for anti-corruption and human rights-based policing to help police staff recognise misconduct and provide them with techniques to resist corruption attempts from criminals. In South Africa, for example, the training programme for new recruits was redesigned to inculcate democratic policing values and techniques.

**Management and administrative systems** Police services have traditionally operated without public scrutiny of their investigations and operations. This is usually justified by the need to protect information on ongoing investigations from criminals, to ensure witness safety and to act swiftly without having to request special approval from relevant authorities. However, this lack of disclosure can fuel an organisational culture of secrecy, corruption and arbitrary exercise of police powers and as a result undermine the long term credibility and accountability of the institution.

**Leadership** A principal condition for the successful implementation of the anti-corruption strategies is to build credible leadership, sustained political will and strong institutional commitment to anticorruption policies both inside and outside the institution. Political will can translate into anti-corruption messages being clearly articulated by operational policies and forcefully promulgated during public events.

**Building ethical culture and professionalism** Ideally, anti-corruption strategies should aim at establishing an organisational culture that relies more on peer pressure than punitive approach to promote and support police integrity. An important step in this direction can be the development and implementation of codes of conduct for all police staff, addressing all forms of unethical behaviours, including sexual extortion or harassment. The implementation of the code may also require awareness raising, training and capacity building activities. For example, in 1997, a code of conduct was developed and circulated throughout the South African Police Force. All police officers were given a small plastic card with the code written on one side and the rights of the arrestee on the other side.

**Engaging with the community** Successful anti-corruption strategies rely on the public's cooperation to report acts of police misconduct. In many developing countries affected by high levels of police corruption, especially those emerging from conflict, one of the key challenges of police reform is to restore the public trust in the police and build the legitimacy of the institution where police officers are perceived more as a source of fear than protection.

**Public awareness** Public education about corruption and ongoing reform attempts can have a significant impact on public expectations for the police force. In Hong Kong for example, public education was a crucial element of a three-pronged strategy to reduce corruption. In the beginning efforts of the Independent Commission against Corruption (ICAC), community liaison officers put a special emphasis on publicising the arrest

and successful prosecution of prominent police members. This helped establish the commission's strong reputation for a determined crack-down on large scale corruption. Large scale public education campaigns were also carried out to enhance the legitimacy of the ICAC, promote the knowledge of anti-corruption laws, and mobilise the public to report corruption.

**The concept of democratic policing** International lessons from successful anti-corruption reforms underline the critical importance of engaging civil society in the reform process to broaden public involvement, education and trust in the institution.

**+Anti-corruption and police reform** The concept of democratic policing has recently emerged in the context of improving the relationships between the police and various communities. According to US scholar David Bailey, democratic policing is based on four key principles:

- Police must give top operational priority to servicing the needs of civilians and democratic institutions;
- Police must be accountable to the law rather than to government;
- Police is guided by principles of respect for human rights, equity, non-discrimination, impartiality, integrity, fairness and professionalism;
- Police should be transparent in their activities.

Based on this framework, a handbook for oversight of police in South Africa has been developed to operationalise these norms around five major areas of concern: 1) protecting democratic political life; 2) police governance, accountability and transparency; 3) service delivery for safety, justice and security; 4) proper police conduct and 5) police as citizens.

**Community-based policing** Within the framework of democratic policing, community-based policing, crime prevention and victim empowerment strategies are increasingly being proposed to help restore trust between civilians and the police and to gain community support for police reform. Community-based policing promotes partnerships between police and communities to address community concerns and ensure that the police respond to the needs of the broader public. This can be facilitated, for example, through setting up community consultation forums.

**Punitive approaches** Where police officers are suspected of misconduct clear procedures must be in place to detect, investigate and sanction corrupt practices.

**Stricter sanctions and enforcement rules** Enforcement strategies can include introducing legal and institutional changes that increase the risks of detection and sanctions for corruption. Police reform processes are rarely successful, unless accompanied by judicial reform, as effective law enforcement also relies on a functioning judiciary.

**Internal accountability** Strengthening internal accountability is not only based on reviewing and upgrading the internal disciplinary system but also on empowering police managers to implement disciplinary measures and holding them accountable for this function. In many cases, police managers lack the will or ability to ensure basic discipline, as it can antagonise upper and lower rank commanders or be perceived as being

motivated by reasons other than maintaining discipline (“scapegoat Anti-corruption and police reform www.U4.no 8 syndrom”). In South Africa, for example, it is required that direct supervisors take responsibility for initiating punitive actions, but they are forced to deal with a slow and complicated system that managers do not always fully understand. In practice, front line managers take action only when requested by their superiors, which encourages a situation where lower level managers perceive themselves as being closer to their subordinates rather than as part of a coherent management system.

#### **Список використаних джерел**

1. Marie Chêne Anti-corruption and police reform. URL: [https://knowledgehub.transparency.org/assets/uploads/helpdesk/247\\_Anti\\_corruption\\_police\\_reform.pdf](https://knowledgehub.transparency.org/assets/uploads/helpdesk/247_Anti_corruption_police_reform.pdf).
2. BestKKrista Lee-Jones Best practices in addressing police-related corruption. URL: <https://www.u4.no/publications/best-practices-in-addressing-police-related-corruption>.
3. Humaid Mohamed Saed Al-Muhairi Police Corruption and Strategies for its Prevention in the Emirate of Abu Dhabi. URL: [https://eprints.qut.edu.au/16689/1/Humaid\\_Mohamed\\_Saed\\_Al-Muhairi\\_Thesis.pdf](https://eprints.qut.edu.au/16689/1/Humaid_Mohamed_Saed_Al-Muhairi_Thesis.pdf).

*Дячук Н.*, курсант Національної академії  
внутрішніх справ

**Консультант з мови: Цимбалюк Т.**

#### **CYBERSAFE IN CANADA**

Canada has started a new special body of the cybernetic space. The Canadian Center for Cybersecurity has become the main reference point of the official information service for Canadian enterprises, owners and operators of critical infrastructure, and for all Canadians. The Expert Center will help the Center to promote its partners in academic and private spheres with the help of the most common cybernetic calls, which will stand before Canada, – said the Ministry of Defense.

A new body will be installed to the structure of the Center for Security of Communities – the Canadian special services, which are responsible for the call of radio electronic intelligence, the owner of regular electronic information and communications, and cryptography. The Government of Canada is convinced that the Cybernetics Center will play a role in strengthening Canada's cyber defense, maintaining secure cyberspace, as well as the stability and prosperity of its' state.

The Ministry of Defense also added that the new Center will move to the open for community place in Ottawa, the message was sent to the robot from the information that the cybernetic search for the Canadians, and also the rosters of the special technical specialists.

Also there is an appropriate website dedicated specifically about cybersafe, for example: how to secure your account from hackers, secure personal devices and connections as well. The website called “Get Cyber Safe”.

The Get Cyber Safe is a national public awareness campaign created to inform Canadians about cyber security and the simple steps they can take to protect themselves online. The campaign is led by the Communications Security Establishment, with advice and guidance from its Canadian Centre for Cyber Security in behalf of the Government of Canada.

The campaign is an important component of the National Cyber Security Strategy, dedicated to securing government systems, partnering to secure vital cyber systems outside the federal government, and helping Canadians be secure online.

Get Cyber Safe’s goal is to bring together all levels of government, the public and private sectors, and the international community, to help Canadians be safer online. So the main mission of Get Cyber Safe is to keep Canadians safe online.

The world has shifted online and it’s important that all Canadians make cyber security a priority. As part of Canada’s National Cyber Security Strategy, the Government of Canada is committed to working with provinces and territories as well as with the public and private sectors to keep Canadians safe online. Cyber security is shared responsibility and we all have a role to play.

Canada also collaborates with partners around the world in building a global cyber security culture. Each October, we take part in Cyber Security Awareness Month and collaborate with our partners to share the Get Cyber Safe message.

There many problems in Cyber space, like, for example, cyberbullying. It really hurts the people who it targets, and affects every aspect of their lives. In some cases, it has even led to tragedy. Cyber bullying happens when people use computers, cellphones or other devices to embarrass, humiliate, torment, threaten or harass someone else. Quick facts:

- Almost 1 in 10 Canadian online teens – 8 per cent – say they have been victims of online bullying on social networking sites.

- Over one-third of Canadian teens with a social network profile – 35 per cent – have seen mean or inappropriate comments about someone they know. 14 per cent say they have seen mean or inappropriate comments about themselves on social networks.

- 18 per cent of Canadian parents say they have a child who has experienced cyberbullying.

In these cases Get Cyber Safe says:

- Keep your cool, and don't respond to a hurtful text, post, or email, however much you may want to.

- Block whoever sent the hate! Move the message to your 'Junk' folder, which is totally appropriate. If you don't know how to block a sender from your phone, call your cell phone service provider.

- Protect yourself by keeping your passwords private. Don't share them with anyone except a trusted adult.

- If someone created a profile of you without you knowing, contact the people who run that site and have it removed.

#### **Список використаних джерел**

1. Канада створила новий Центр із кібербезпеки: Стаття. URL: <https://www.ukrinform.ua/rubric-technology/2551257-kanada-stvorila-novij-centr-iz-kiberbezpeki.html> (дата звернення: 11.10.2020).

2. Офіційний сайт кібербезпеки Канади. URL: <https://www.getcybersafe.gc.ca> (дата звернення 11.10.2020).

*Євсеєнкова К.,* курсант Національної академії внутрішніх справ

*Консультант з мови: Галдецька І.*

### **UNITED NATIONS OFFICE ON DRUGS AND CRIME ON MONEY-LAUNDERING**

The Law Enforcement, Organized Crime and Anti-Money-Laundering Unit of United Nations Office on Drugs and Crime (UNODC) is responsible for carrying out the Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism, which was established in 1997 in response to the mandate given to UNODC through the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. The Unit's mandate was strengthened in 1998 by the Political Declaration and the measures for countering money-laundering adopted by the General Assembly at its twentieth special session, which broadened the scope of the mandate to cover all serious crime, not just drug-related offences.

Economic and financial crime, faced by lagging and developing countries alike is a major obstacle to development. Resources that could support a country's development are lost through criminal acts like corruption, tax evasion, money laundering, and others. In order to combat this type of crime, the United Nations Office on Drugs and Crime, in cooperation with the International Monetary Fund has developed a specific legal model – Sub-Programme 2. It contains a comprehensive set of legal measures that a domestic law should include in order to prevent, detect, and



sanction effectively, money laundering and to enable international cooperation against this crime.

Money laundering can be described as the process by which a person conceals or disguises the identity or the origin of illegally obtained proceeds so that they appear to have originated from legitimate sources. [3]

Criminals exploit economic and financial globalization and the advances made in technology and communications with a view to concealing the origin of funds that they have gained through illegal activities. They make extensive use of a broad array of techniques, such as the rapid transfer of money from one country to another or the misuse of corporate vehicles to disguise the true owner of the funds.

The activities of powerful criminal organizations can have serious social consequences. Laundered money provides drug traffickers, organized criminal groups, arms dealers and other criminals with the wherewithal for operating and developing their enterprises. Without effective safeguards or preventive measures, money laundering can strike at the integrity of a country's financial institutions. The removal of billions of dollars from legitimate economic activities each year constitutes a real threat to the financial health of countries and affects the stability of the global marketplace.

Money laundering undermines international efforts to establish free and competitive markets and hampers the development of national economies. It distorts the operation of markets transactions, may increase the demand for cash, render interest and exchange rates unstable, give rise to unfair competition and considerably exacerbate inflation in the countries where the criminals conduct their business dealings.

Small countries are particularly vulnerable to money laundering. The gains from illegal activities can provide criminal organizations with potentially huge economic power which in turn can give them leverage over small economies.

International efforts to curb money laundering are the reflection of a twofold strategy:

1. attacking the economic power of criminal organizations and individuals in order to weaken them by preventing them benefiting from, or making use of, illicit proceeds;

2. forestalling the evil effects of the "criminal businesses" on the legal economy.

Sub-Programme 2, in line with the UNODC mandate in Anti-Money-Laundering (AML) implements capacity building activities that cover both traditional and new means of money-laundering techniques and illicit financial flows including prevention of the abuse of money or value transfer services, investigation of the misuse of cryptocurrencies, blockchain, Darknet, contactless payments, disruption of illicit financial flows and others. Furthermore, SP 2 provides advisory services to States

and supports the development of regional synergies among financial intelligence units (FIUs) through regional FIU to FIU meetings, the strengthening of a regional AML group of experts as well as through supporting the signing of memorandum of understanding on anti-money laundering [1].

In the second phase of the programme SP 2 has scaled up its AML efforts by increasing cooperation not only with relevant UNODC programmes such as the Global Programme against Money Laundering, Proceeds of Crime and Financing of Terrorism (GMPL) and the EU Cocaine Programme (CRIMJUST), but also with external partners including the EU Action Against Drugs and Organised Crime (EU-ACT), the Eurasian Group (EAG), the Central Asian Regional Information and Coordination Centre for Combating Illicit Trafficking of Narcotic Drugs, Psychotropic Substances and their Precursors (CARICC), the Peoples Bank of China [1].

The aforementioned programme includes the following main pillars:

- Drafting and reviewing of anti-money laundering national legislation, including the legislation dealing with the detection, freezing, seizing and confiscation of the proceeds of crime, criminal's funds and assets;

- Equipping national competent authorities with the appropriate legal/institutional/administrative and operational framework that provides the necessary duties, powers and sanctions;

- Assisting national competent authorities and other relevant sectors in the implementation of anti-money laundering measures to ensure greater compliance with recognized international standards;

- Developing a comprehensive training curriculum aiming at supporting capacity building in the anti-money laundering field;

- Developing an efficient judicial system that ensures that judicial verdicts/decisions are properly enforced. [2]

So, as we can see, the main tools for combating money laundering are the presence of a legally competent program of action and association with various law enforcement agencies and non-governmental organizations. Collaboration with other law enforcement agencies helps to strengthen the ability to prevent, detect and counteract this type of crime. Ukraine, in turn, could learn from this experience, as well as improve its approach to combating money laundering.

#### **Список використаних джерел**

1. Model legislation on money laundering and financing of terrorism

URL: <https://www.unodc.org>. URL: [https://www.unodc.org/documents/middleeastandnorthafrica//money-laundering/money\\_laundering\\_and\\_terrorism\\_model\\_law.pdf](https://www.unodc.org/documents/middleeastandnorthafrica//money-laundering/money_laundering_and_terrorism_model_law.pdf).

2. Building Capacity in Combating Money Laundering and the Financing of Terrorism. URL:

<https://www.unodc.org/middleeastandnorthafrica/en/regional-programme-framework/trafficking-crime-and-terrorism/money-laundering.html>.

3. Електронний ресурс: What is economic crime? URL: <http://www.cipce.org.ar/en/what-is-economic-crime>.

**Желнова О.**, курсант Національної академії  
внутрішніх справ

**Консультант з мови: Богуцький В.**

## **THE EXPERIENCE OF CONTROLLING STREET DRUG TRAFFICKING IN OAKLAND AND BIRMINGHAM**

In Oakland, the treatments affected citizen perceptions of drug trafficking, property crime, satisfaction with police services, and neighborhood safety. In addition, crimes reported to the police declined substantially in one treatment area.

Residents perceived that drug trafficking declined. Visible police presence improved residents' perception of the ability of the police to handle drug problems in their neighborhoods. The door-to-door contact with police improved residents' satisfaction with the way police handled neighborhood problems. Despite the fluctuations in crime statistics in the different beats, residents in all three treatment areas believed that they felt safer than before the treatments were applied.

The perception that sexual assault incidents increased runs counter to our hypothesis; the researchers had expected that perceptions of violent crimes would diminish in the treatment beats.

The Birmingham Police received a tremendous amount of positive press coverage for their activities in Operation 'Caine Break. The two large-scale sweeps of suspects or "bust-outs" were successful because of the press reports and because the police were able to apprehend a high percentage (over 90 percent) of the suspects they sought. The narcotics detectives also believed that they had sent a message to drug traffickers: That police fully intended to apprehend, charge, and convict both the dealers and the buyers in the drug trade.

In both phases of the operation under NIJ study, the narcotics detectives were well-trained, organized, and thorough in their work. Their concerns for safety impressed the research staff, given the dangers inherent in drug enforcement activities. Equally impressive was the concern to follow proper legal procedures. Issues of entrapment, search and seizure, stop and frisk, proper field interrogations, and probable cause were discussed and emphasized throughout the project.

Because of the nature of narcotics work, the researchers did not anticipate significant changes in the attitudes of the residents in the area that received the 'Caine Break treatment. Narcotics officers relied on a low-key approach to their undercover operations of stings and the videotaped buys.

Residents would not see arrests regularly, so the impact on community attitudes was limited.

Instead, the research team relied on reported crime as an indicator of success or failure of the operation. Team members believe that a reduction in crime took place after a lag of 3 months in the area that received the buy-busts and sting operation.

The patterns that emerge in the crime data discussed earlier suggest that the door-to-door component had a beneficial effect on the control of violent criminal acts. The presence and visibility of officers in the neighborhood may have reduced some violent behavior. Although residents in two of the three experimental beats also perceived less property crime, reported property crimes actually increased slightly in the three beats as a group. This may be a useful consequence of the door-to-door interviews. Officers encouraged residents to call the police when they witnessed suspicious activities. In Goldwire, the findings show that the treatment was effective after a 3-month lag.

Although the researchers had hoped for a more intensive use of the police-citizen contacts, the results were nonetheless very positive. Though the police substation was an unanticipated event, the demands from the community and officials of the public housing authority could not be ignored.

The findings from this study show that these treatments had dramatic effects on citizen perceptions of quality of life, property crime, and satisfaction with police services. In addition, violent crimes re-reported to the police declined substantially in Gate City, where the police-citizen contacts occurred.

#### **Список використаних джерел**

1. Controlling Street-level Drug Trafficking: Evidence From Oakland and Birmingham. URL: <https://digitalcommons.law.ggu.edu/cgi/viewcontent.cgi?article=1020&context=nij-rib>

*Жигadlo М.*, здобувач ступеня вищої освіти магістра Національної академії внутрішніх справ

**Консультант з мови: Василенко О.**

### **INTERNATIONAL EXPERIENCE IN COMBATING ORGANIZED CRIME IN THE ECONOMIC SPHERE**

Financial crime over the last 30 years has increasingly become of concern to governments throughout the world. This concern arises from a variety of issues because the impact of financial crime varies in different contexts. It is today widely recognised that the prevalence of economically motivated crime in many societies is a substantial threat to the development of economies and their stability.

**Financial crime** is crime committed against property, involving the unlawful conversion of the ownership of property (belonging to one person) to one's own personal use and benefit [1].

It is possible to divide financial crime into two essentially different, although closely related, types of conduct.

First, there are those activities that dishonestly generate wealth for those engaged in the conduct in question. For example, the exploitation of insider information or the acquisition of another person's property by deceit will invariably be done with the intention of securing a material benefit. Alternatively, a person may engage in deceit to secure material benefit for another.

Second, there are also financial crimes that do not involve the dishonest taking of a benefit, but that protect a benefit that has already been obtained or to facilitate the taking of such benefit. An example of such conduct is where someone attempts to launder criminal proceeds of another offence in order to place the proceeds beyond the reach of the law.

One of the main aspects of the fight against serious and organised crime has been the focus on targeting the proceeds of criminality with the view of rendering illicit activity less profitable and attractive for criminals. In addition, financial investigations seek to deprive criminals, and especially criminal groups, of the resources necessary to pursue further criminal activity.

In order to secure the confiscation of proceeds of crime, it is essential to ensure timely identification of such funds and application of provisional measures, so that the assets in question are not hidden by the criminal network. Efforts have been initiated to introduce a systematic use of financial investigations. Financial investigation should be carried out simultaneously with the criminal investigation in order to trace the material benefit connected to the criminal activity in question. Competences in financial investigations are often shared amongst different state authorities (e.g. law enforcement or the judiciary) at different stages of the procedure – the national framework should enable efficient cooperation amongst them to allow for an effective undertaking of the investigations. A significant role in the procedure is also taken by the Financial Intelligence Unit, which has at its disposal significant financial intelligence information.

Key elements to ensure effectiveness of financial investigations are the attribution of sufficient powers to competent authorities (such as access to data, including banking data, and the ability to apply special investigative powers, for example undercover operations, secret observation, etc., by law enforcement authorities). An additional fundamental element is also the fact that, due to the increasingly international nature of criminal activities, financial investigations should be conducted in a manner. The respective authorities should have appropriate powers in this regard to take into consideration the trans-border aspect and allow for sharing of information, as well as for the undertaking of joint actions.

Given the complexity of the issue, in order to implement financial investigations on a systematic basis, it is necessary to ensure the

development of sufficient expertise amongst the involved authorities and their staff, as well as to provide adequate resources for their undertaking in practice [2].

There are many international organizations that fight organized crime in the economic sphere, some of them:

- 1) The Financial Action Task Force (FATF)
- 2) The Global Programme against Money Laundering (GPML).
- 3) The Anti-Money Laundering Global Task Force (GTF-AML).

In the past ten years, economic reform in Ukraine has not served to deter economic crime, but rather has encouraged the conditions under which it can thrive. Failed economic reform resulted in many undesirable activities and outcomes, including the unequal allocation of areas of the economy that yield super profits.

Ukraine's economic difficulties are an easy target for foreign criminal groups, who move funds and goods in and out of the country in order to conceal profit and evade taxes. The transnational crime implications of Ukrainian organized economic crime have not adequately been remedied by existing treaties. There are significant Ukrainian criminal ties to the U.S. and Russia, which facilitate international organized criminal activity and allow fugitive criminals to continue criminal activities from abroad. As of this writing, essential joint efforts between the U.S. and Ukraine are currently on hold, pending U.S. Congressional ratification of the Treaty on Mutual Legal Assistance in criminal matters between the two countries. All industrialized countries must make concerted and collaborative efforts to investigate and prosecute economic criminals from all nations [3].

Ukrainian law enforcement agencies and supervisory bodies require restructuring aimed at increasing the qualitative effectiveness of law enforcement activities. Reforming law enforcement agencies and supervisory bodies before new legislation and directives are developed must be a prerequisite to help state agencies battle and overcome organized economic crime.

#### **Список використаних джерел**

1. Financial crime. URL:  
[https://en.wikipedia.org/wiki/Financial\\_crime#:~:text=Financial%20crimes%20may%20involve%20fraud,tricks%3B%20tax%20evasion.](https://en.wikipedia.org/wiki/Financial_crime#:~:text=Financial%20crimes%20may%20involve%20fraud,tricks%3B%20tax%20evasion.)
2. Financial investigations. URL:  
<https://www.coe.int/en/web/moneyval/implementation/financial-investigations.>
3. Organized Economic Crime and Corruption in Ukraine. URL:  
<https://www.ncjrs.gov/pdffiles1/pr/204374.pdf.>

*Жулкєвська О., здобувач ступеня вищої освіти Національної академії внутрішніх справ*

*Керівник з мови: Могилєвська В.*

## **CRIME RATE IN THE PHILIPPINES**

The Philippine National Police is committed to ensuring public safety and reducing the fear and the incidence of crime in the community [3]. The Philippines has a relatively high crime rate. Guns are widespread, violent crime is common and Manila was once voted the kidnapping capital of Asia. Pickpockets operate on crowded streets and buses and snatch-and-run thieves on motor scooters operate in Manila. Foreigners are sometimes the targets of scams involving prostitutes and gangsters, sleight-of-hand money changing tricks and credit card fraud. Outside the cities there is some banditry. Volunteer workers, missionaries and tourists have been kidnapped and in rare cases murdered. Kidnapping gangs have targeted foreigners.

Theft is the most common crime. Because the Philippines has a cash economy, thieves and pick-pockets can easily gain access to thousands of pesos. Petty thieves are unlikely to be apprehended unless a theft is discovered immediately. Ordinary break-ins are also a problem. Some foreigners have had their house broken into the very first night they stayed there. Another common crime is murder, which often is committed under the influence of alcohol. Guns are readily available. About 70 % of the population on the main southern island of Mindanao own guns. "Police statistics indicate an average of 130 auto thefts in Metro Manila each month, often targeting sports utility and other luxury vehicles. Many crimes, including kidnapping-for-ransom, are not reported due to widespread distrust of authorities who are often behind the crimes and possible reprisals [2].

Adding fuel to the fire is the high number of Filipinos who own guns; the Philippines have the second-highest gun ownership in South East Asia and it is very poorly regulated. Firearms are frequently used in the commission of crimes in the Philippines. Avoid unpopulated areas at night and try to travel in groups.

Official government estimates show there are over 1.1 million unlicensed firearms in the hands of Philippine civilians. There is a thriving black market for guns. Unlicensed pistols can be bought for as little as \$100 [1]. There have been numerous terror-related incidents in the Philippines in recent years, and although they don't necessarily target visitors, it's still possible to be in the wrong place at the wrong time. However, there have been targeted incidents against foreign interests such as an improvised explosive device found at the US Embassy in 2016.

There are many parts of the Philippines you should avoid due to their heightened risk of terrorist activities, and it's wise to keep across any potential alerts via your government travel safety advisory [1].

Religious-based violence (fundamentalist terrorism) mainly, but not exclusively, occurs in the south. Ethnic violence is also present throughout the country, but is most common in the southern Philippines. This mostly affects indigenous people (locally called Lumads) and is practically undistinguishable from economic violence (centered on land rights and resource conflicts) and political violence (environmental defenders and opposition) [4].

The danger of kidnapping exists, particularly in southern Philippines. This type of crime is believed to be due to the extensive poverty of the Filipino people, and visitors are often targeted. Gangs will often get a member to pose as a friendly local inviting you to join them for meals with the family, and then once you have established trust, they invite you on an out-of-town trip. Once you are away from the city, they might drug you (usually via a drink), then rob or rape you [1].

The consumption of alcohol is often the trigger of street fights and violent crime. The national liquor, a coconut concoction called tuba, is typically mixed with Coca-Cola and consumed in large quantities. It is an extremely potent drink, so if you plan to partake, avoid doing so in public taverns and only drink with people you know. Bar brawls often involve guns and machetes. Drink spiking is an issue – the locals refer to it as the Atvian Scam after the drug used in the crime. Victims are often robbed or assaulted while they are unconscious.

Many parts of the Philippines are poor, and children begging on the streets is a frequent sight. While giving them money might be tempting, doing so could be contributing to a crime. Most of the time, the child begging on the street is being exploited by an adult who is not necessarily their own parent, but a trafficker or drug dealer [1]. The production, trafficking, and consumption of illegal drugs is an ongoing concern, and has become a priority issue for the government. Although an anti-drug campaign launched in 2016 has focused primarily on arrests and enforcement operations, the government has indicated that it intends to expand treatment and rehabilitation activities. Trafficking and abuse of methamphetamines remain the foremost drug-related problem, followed by marijuana and, to a lesser extent, cocaine and MDMA/ecstasy. Transnational organized crime groups exploit under-staffed and under-resourced law enforcement and a weak judicial system to establish clandestine drug laboratories and import wholesale quantities of methamphetamines to supply the domestic market. Authorities have raided meth laboratories throughout the country, including in major urban centers like Manila [4].

While petty crime is typically non-violent, when it occurs at night or in rougher areas it could quickly turn dangerous. The region's average monthly crime rate was around 90 per 100,000 people as of 2020. The most prevalent crimes in the Philippines were theft and physical injury. Crime against property accounted for more than 30 percent of the country's entire crime list.



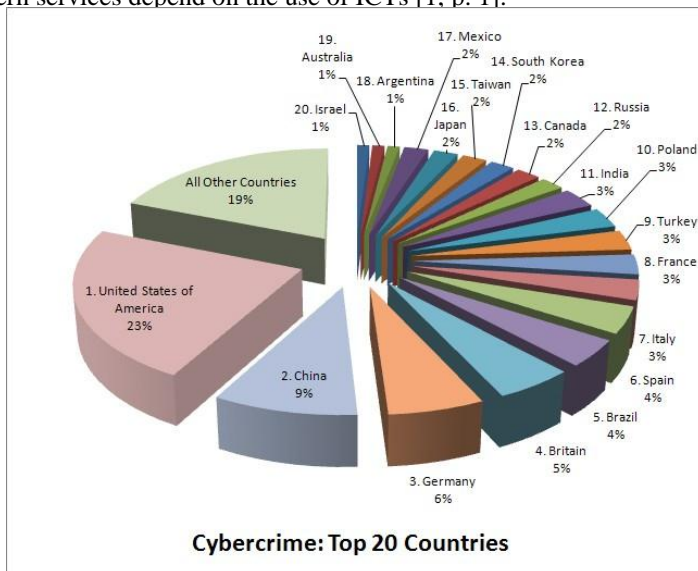
### Список використаних джерел

1. «Crime in the Philippines». URL: <https://www.worldnomads.com/travel-safety/southeast-asia/philippines/crime-in-the-philippines>.
2. «Crime in the Philippines». URL: [http://factsanddetails.com/southeast-asia/Philippines/sub5\\_6f/entry-3908.html](http://factsanddetails.com/southeast-asia/Philippines/sub5_6f/entry-3908.html).
3. «GENERAL SAFETY AND CRIME PREVENTION INFORMATIO». URL: <https://www.pnp.gov.ph/index.php/operations/622-general-safety-and-crime-prevention-information>.
4. «Philippines Crime & Safety Report». URL: <https://www.osac.gov/Country/Philippines/Content/Detail/Report/b5c8b11f-5b1b-4180-b911-18307766f680>.

**Заболотна А.**, курсант Національної академії внутрішніх справ  
**Консультант з мови: Василенко О.**

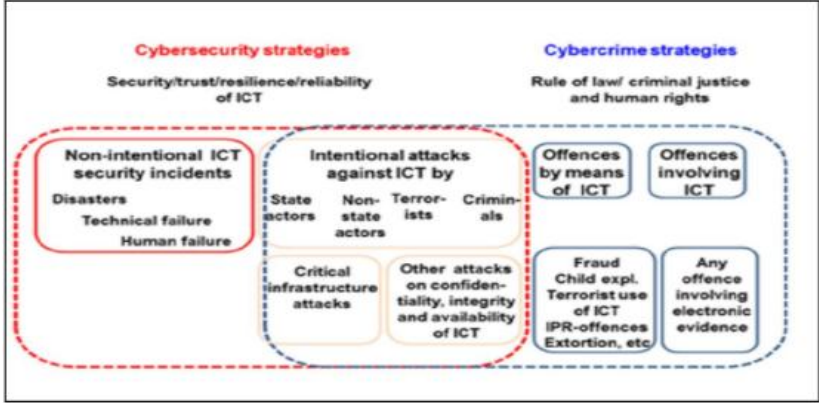
### FIGHTING CYBERCRIME IN FOREIGN COUNTRIES

The Internet is one of the fastest-growing areas of technical infrastructure development. Today, information and communication technologies (ICTs) are omnipresent and the trend towards digitization is growing. The demand for Internet and computer connectivity has led to the integration of computer technology into products that have usually functioned without it, such as cars and buildings. Electricity supply, transportation infrastructure, military services and logistics – virtually all modern services depend on the use of ICTs [1, p. 1].



Cybercrime remains a persistent and borderless threat that continues to grow in size and scope, affecting both developing nations and those with higher levels of development. The widespread use of technology and the growing rates of Internet connectivity around the globe coupled with the continued development of new technologies that allow for anonymity on the Internet have made cybercrime a low-risk, high-yield venture for a diverse range of state and non-state actors. However, despite the relatively continued increase in pace of cybercrime globally, law enforcement has struggled to keep up, resulting in a considerable global cybercrime enforcement gap that allows cybercriminals to operate with near impunity [2].

The fight against cybercrime needs a comprehensive approach. Given that technical measures alone cannot prevent any crime, it is critical that law enforcement agencies are allowed to investigate and prosecute cybercrime effectively. Among the GCA work areas, “Legal measures” focuses on how to address the legislative challenges posed by criminal activities committed over ICT networks in an internationally compatible manner. “Technical and procedural measures” focuses on key measures to promote adoption of enhanced approaches to improve security and risk management in cyberspace, including accreditation schemes, protocols and standards. “Organizational structures” focuses on the prevention, detection, response to and crisis management of cyber-attacks, including the protection of critical information infrastructure systems. “Capacity building” focuses on elaborating strategies for capacity-building mechanisms to raise awareness, transfer know-how and boost cybersecurity on the national policy agenda. Finally, “International cooperation” focuses on international cooperation, dialogue and coordination in dealing with cyber threats [1, p. 3].



Comparison between Cybersecurity and Cybercrime strategies

The existing approaches to fighting crime in the real world often do not work in cyberspace or cannot be applicable to the misuse of ICT for criminal purposes. The development of a comprehensive approach addressing different aspects of cybercrime goes along with the unique challenges that are new for legislators as well as for investigatory bodies, and must be taken into consideration when developing strategies to fight crime in virtual world [3, p. 288].

The global context of cybercrime calls for international cooperation and provides the opportunity for a stronger role of international and regional police organisations, such as Interpol and Europol, firstly, in facilitating trans-border cooperation between police units in different countries in policing cyberspace. This area of activity focuses on maintaining the mechanisms allowing effective operational cooperation, that is now conducted in the form of contact points; ICAID (Interpol, 2008) and created the channels for information exchange and sharing (regional working parties, training). International and regional police organisations can assist countries in investigating individual cases where higher-level help is needed due to the transnational character of the crimes or because of the lack of capacity in a particular country, or because of the necessity for independent expertise. Apart from helping police units in investigations, capacity building and information sharing, the focus should be also be directed towards the development of strategic partnerships with the private sector and ICT industry.

The existing initiatives of Europol and Interpol highlight the importance of fighting cybercrime by policing cyberspace, developing the ability to conduct investigations of online crimes and, which is even more important, by participating in different projects with the private sector to address current threats propelled by cybercrime.

For instance, Europol introduced the agenda for fighting cybercrime that includes the establishment of hi-tech crime centres, the creation of the European Cybercrime Platform (Europol, 2008) consisting of analytical work file on cybercrime (Cyborg), a common online reporting system at European level (I-CROS) and a knowledge management platform (Quille, 2009) [3, p. 290].

The fight against cybercrime needs a comprehensive approach including the development, application and revision of technical and legal measures, along with the building of organisational structures to address the problem. Furthermore, addressing cybercrime requires effective international coordination on cyber related issues that must be built on policy coordination at the national level. The multi-stakeholder approach implemented on the national level has to be coherent with the international harmonisation of tools for addressing cybercrime in order to be efficient. Efforts of national governments in establishing policies and legal measures need to be supported (WSIS Declaration of Principles, 2003) by the technical and economical expertise of the private sector, the readiness of civil society, and facilitated by the activity of intergovernmental and

international organisations developing common standards and harmonising approaches. Despite the number of challenges that need to be addressed, police units and organisations, as one of the main stakeholders on the scene of fighting cybercrime, can act as a central spinoff for building links between different stakeholders, establishing cooperation with the private sector and developing the national and international approaches to tackling the problem of ICT misuse [3, p. 292].

#### **Список використаних джерел**

1. Gercke M. Understanding cybercrime: Phenomena, challenges and legal response. September, 2012. P. 356.

2. Special Issue Cyber Enforcement Journal published in partnership with the Journal of National Security Law & Policy, May 2020. URL: <https://www.thirdway.org/report/countering-the-cyber-enforcement-gap-strengthening-global-capacity-on-cybercrime>

3. Tropina T. Cyber-policing: the role of the police in fighting cybercrime. Germany, 2009. P. 287–294.

*Закомірна І., здобувач ступеня вищої освіти Національної академії внутрішніх справ*

**Консультант з мови: Лопуцько О.**

### **CRIMINAL LAW AND EXPERIENCE OF ITS INTERNATIONAL APPLICATION**

The Criminal Code of Ukraine has as its task the legal protection of the most important social values and goods from the criminal encroachments, the peace and security of humanity as well as the prevention of crimes. In order to accomplish this task, the Criminal Code of Ukraine determines which socially dangerous acts are crimes and what penalties, as well as other measures of criminal nature, are applied to the perpetrators. In addition, taking into account the systematic analysis of certain provisions of the Criminal Code of Ukraine, it can be concluded that committing a crime is not the sole and exclusive basis for the application of other measures of a criminal law nature, as such grounds may be the facts of committing criminal acts, in particular, socially dangerous acts. a non-convicted person or a person who has not gained the age from which criminal liability may arise, or in general, acts only outwardly similar to the crime.

One of the important changes in the field of the criminal law is the introduction of the institution of criminal misconduct. Criminal misconduct and crime in the future will become a type of criminal offense. Criminal offenses should be an important step in the humanization of the criminal law. After all, not only some administrative offenses will be criminal offenses, but also the least serious crimes of today.

The introduction of criminal offenses is not something new either in terms of foreign experience or in terms of the history of domestic criminal law.

The criminal law of the vast majority of European countries provides for two or even three types of criminal offenses (misdemeanor crime). Thus, in Europe, it has long been concluded that in criminal law there can be no more than one type of punishable act (crime) because of their danger to society, the degree of punishment and the legal consequences for the punished person.

Other factors testify the urgent need for definition of criminal offenses in Ukraine:

1. The humanization of criminal law by transforming certain non-serious crimes into criminal offenses. The criterion for turning certain crimes into criminal offenses is to recognize the severity of the punishment, which reflects the degree of public danger of an act in the best way. Criminal offenses may be those crimes for which the Criminal Code does not provide for punishment of imprisonment.

2. Guaranteeing the judicial protection of a person's rights in criminal cases (confiscation of property, remedial work, short-term arrest) on the basis of the requirements of Article 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms. No other state body, except the court, can decide on the application of these penalties.

3. Realization of the requirements of the Constitution of Ukraine as to the possibility of confiscation of property only on the basis of a court decision.

4. Implementation of the provisions of the Judicial Improvement Concept for the establishment of a fair trial in Ukraine in accordance with European standards for the future only of civil, administrative and criminal courts. In this case, only criminal courts will apply penalties that are now administrative penalties (confiscation of property, seizure).

5. Deprivation of administrative courts of powers not peculiar to them (consideration of administrative claims of the Antimonopoly Committee, tax authorities, customs authorities on imposition of fines and application of confiscation of property, etc.) and granting to criminal courts of such powers in relation to imposition of property in the form of confiscation.

6. The introduction of criminal liability of legal persons, which is a direct requirement of numerous acts of international law, including Council of Europe conventions and acts of the European Union. Legal entities should be held criminally responsible for criminal offenses.

The systematic analysis of the provisions of the Criminal Code of the Republic of Poland suggests that the criminal law of this country also enshrines both punitive and non-punitive, but coercive or encouraging measures of criminal nature. The model of the Polish law on criminal liability differs from the model of national criminal law. Meanwhile, from the point of view of Ukraine's aspirations for the European Community,

both positive and negative legislative experience in the field of criminal law regulation of the Republic of Poland is of particular importance for the Ukrainian legislator. It should be noted that the criminal law of the Republic of Poland consists not only of the Criminal Code, but also of other laws providing for criminal liability, among which the Criminal Treasury Code of the Republic of Poland and the Criminal Code of the Republic of Poland in 1971 occupy a special place.

Acquaintance with the legislative provisions of the Penitentiary Code of the Republic of Estonia suggests that in the criminal law of this country, criminal measures (major and additional) are the consequences of committing not only crimes but also criminal offenses. A comparative legal study of such a model of the law on criminal liability is appropriate and timely in terms of the prospect of such a criminal offense as a criminal offense being introduced in the legislation of Ukraine. Thus, the main punishment for committing a crime by a natural person under the PC of the Republic of Estonia is a pecuniary penalty and imprisonment (Articles 44, 45). The main penalties for individuals in the case of criminal offenses include: 1) fine; 2) arrest; 3) deprivation of the right to drive vehicles (Articles 47-48-1 of the SC of the Republic of Estonia). Additional penalties in case of committing a crime by a natural person and a criminal offense are: 1) prohibition of activity; 2) prohibition of engaging in business activities; 3) deprivation of the right to drive vehicles; 4) deprivation of the right to possess weapons and ammunition; 5) deprivation of the right of hunting and fishing; 6) deprivation of the right of access to state secrets and classified secret information, as well as deprivation of the right to process information which is state secret or is classified secret information; 7) prohibition of keeping animals; 8) property punishment; 9) eviction (Articles 49, 49-1, 50, 51, 52, 52-1, 52-2, 53, 54 of the Estonian Republic).

The elaboration of the provisions of the Criminal Code of the Republic of Moldova certifies that this legislative act also regulates a number of criminal-law measures. However, such measures against individuals and legal entities are solely the consequences of the crime committed. Yes, according to Art. 62 of the Criminal Code of the Republic of Moldova the following types of penalties may be applied to individuals: fine; deprivation of the right to occupy certain positions or engage in certain activities; deprivation of military or special rank, rank, and state awards; unpaid work for the benefit of society; imprisonment for a fixed term; life support.

Summarizing the abovementioned, it should be noted that the criminal legislation of the analyzed foreign states regulates a number of measures of a criminal nature as a legal consequence of a crime or a criminal offense. Both individuals and legal entities are subject to criminal influence in their application. Some of these measures, enshrined in the relevant legal acts, taking into account the national model of criminal law influence, require their scientific reflection in terms of possible implementation in domestic criminal law.

### Список використаних джерел

1. The Criminal Code of Ukraine (as of December 1, 2019). - Ch.: Odyssey, 2019. 229 p.
2. PS Berzin General characteristics of the legislation on the misdeeds of the states formed in the territory of the former Yugoslavia. Law and civil society. 2015. № 3. P. 179–211.
3. Stanich VS Criminal Code of the Republic of Poland / ed. VL Menchinsky. Switch on ukr. language by VS Stanich. K.: HVAC, 2016. 138 p.
4. Tatsiy V. Ya., Tutyugin VI Another attempt to "humanize" the criminal legislation of Ukraine. Bulletin of the Association of Criminal Law of Ukraine. 2014. No. 1 (2). Pp. 312–330. URL: [http://nauka.nlu.edu.ua/wp-content/uploads/2015/07/2\\_21.pdf](http://nauka.nlu.edu.ua/wp-content/uploads/2015/07/2_21.pdf).
5. Fedotova GV Features of Legal Regulation of the Institute of Criminal Misconduct in the Legislation of the Republic of Lithuania and the Republic of Poland. Law and Society. 2016. No. 2 (2). P. 152–156.
6. Fedotova, GV, Legal Trends in the Determination of Criminal Offense in the Criminal Code / GV Fedotova, AA Rasyuk. URL: <http://ivpz.org/golovna-konferents>.

**Закутня Ю.**, здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
**Керівник з мови: Могилевська В.**

### THE NETHERLANDS: COUNTRY OF VICTIMS OF TRAFFICKING IN HUMAN

Recently, the Walk Free Foundation released the new Global Slavery Index which assessed the approach to human trafficking in 167 countries. According to the Index, the Netherlands is the only country that scored an ‘A’, making it the country that does the most against human trafficking of all these 167 countries.

The government increased efforts to prevent trafficking. The Human Trafficking Task Force, composed of local and national government authorities, the private sector, and NGO representatives, set long-term anti-trafficking policies, while the Ministry of Justice and Security led the implementation and coordination of anti-trafficking efforts. In November 2018, the government issued its new national anti-trafficking action plan, designed as a “living document” that allowed for ad-hoc updates and revision. The action plan focused on improving information sharing across stakeholders, identifying more victims, strengthening local governments’ anti-trafficking programs, and increasing efforts against labor trafficking. Several NGOs criticized the action plan for its lack of measurable goals and monitoring tools. The government increased efforts to target illicit financial flows from trafficking by expanding a public-private pilot project that notified law enforcement about suspicious

transactions. The Netherlands Organization for Applied Scientific Research published statistical reports that evaluated the country's anti-trafficking landscape. The government continued multiple awareness campaigns with videos, websites, handouts, and school prevention curricula. The labor inspectorate continued to focus on sectors with an elevated risk of exploitation. Teams of police, labor inspectors, and health care personnel continued to conduct brothel inspections, which included screening for signs of trafficking. Authorities trained immigration, hotel, aviation, customs, and labor inspection staff in methods to identify victims and child sex tourism. Three more market sectors (pension, insurance, and food services) joined the government's Covenant on Reducing Human Rights Violations in Supply Chains. The government did not make efforts to reduce the demand for commercial sex acts. The government continued to implement a national plan against child sex tourism, and in cooperation with foreign governments, screened for potential child sex tourists at airports. The foreign ministry continued to conduct outreach to foreign diplomats' domestic workers, without their employers present, on how to report cases of abuse. A government-funded NGO maintained a victim assistance hotline during extended business hours.

The government maintained law enforcement efforts. Article 273f of the criminal code criminalized sex trafficking and labor trafficking and prescribed punishments of up to 12 years' imprisonment or a fine of up to €83,000 (\$95,180) for trafficking offenses involving an adult victim, and up to 15 years' imprisonment or a fine of up to €83,000 (\$95,180) for those involving a child victim.

The government did not report complete sentencing data but confirmed several cases in which traffickers received significant prison terms. For instance, in April 2018, a district court in The Hague sentenced a man to 11 years in prison and a fine of €250,000 (\$286,700) in compensation to six victims of sex trafficking. In June 2018, a court in Groningen sentenced a man to eight years in prison for human trafficking. In August 2018, a district court in Arnhem sentenced a man to seven years in prison and a fine of €100,020 (\$114,700) in compensation to three victims of sex trafficking. The BES islands (fully under the authority of the Netherlands) did not prosecute or convict any traffickers in 2018. The government continued to participate in international investigations and led joint investigation teams with other EU nations. Strong coordination between the Dutch police, an NGO, and Nepali authorities led to the conviction of two child traffickers in Nepal. Both traffickers received sentences of seven and eight years in prison, respectively, and paid compensation to the victims. Through an in-country liaison, Dutch police provided information to Philippine police that led to the arrest of a child sex trafficker exploiting children to perform sexual acts through internet webcams. Judges with trafficking-specific training heard all trafficking cases in 2018. The government delivered a high volume of anti-trafficking training to law enforcement and allocated €2 million (\$2.29 million) to



increase the number of police certified to investigate trafficking cases and boost overall law enforcement capacity. Anti-trafficking police officers were required to pass examinations in a training course focused on policing commercial sex. Authorities trained custom and coast guard officials in the BES islands. Judges, prosecutors, and defense attorneys continued to receive specialized training in applying the anti-trafficking law and dealing with traumatized victims. In February 2019, a district court sentenced a deputy chief prosecutor investigated for soliciting sex from a child in sex trafficking to 10 months in prison under the charge of sexual misconduct with a minor. Prosecutors reported the government frequently did not charge child sex traffickers under the trafficking law but under a sexual abuse law (article 248b), which carried lesser penalties. The Ministry of Justice and Security elevated trafficking to one of its four top law enforcement priorities in its strategic agenda for 2019 to 2022.

Wherefore, from the above it becomes clear that the main crime in the Netherlands is human trafficking for many years, and therefore the government is improving against this offence the means of protection and counteraction to.

#### **Список використаних джерел**

1. Netherlands. Together Against Trafficking in Human Beings. URL: [https://ec.europa.eu/anti-trafficking/member-states/netherlands\\_en](https://ec.europa.eu/anti-trafficking/member-states/netherlands_en).

2. 2019 Trafficking in Persons Report: Netherlands - State ... URL: <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/netherlands/>.

*Іванова О., здобувач ступеня вищої освіти  
Національної академії внутрішніх справ*

*Консультант з мови: Романов І.*

### **THE ROLE OF THE POLICE IN DOMESTIC VIOLENCE AND ABUSE**

Responding to the domestic and family violence incidents is a frequent and significant component of a police officer's work of the 21<sup>st</sup> century. Domestic violence is among the most underreported crimes worldwide for both men and women. The continuing increase in the number of reports of domestic and family violence over the past years is seen by police and other community agencies, as evidence of an increase in community awareness reinforcing that this form of abusive behavior must no longer be seen as a 'private' matter. It is recognized by all sectors that abusive behavior towards a person in a relationship constitutes 'criminal' behavior and is punishable by law [1].

The problem of domestic violence in society is worldwide and various countries have been working on ways to overcome it for a long time. The number of women who reported about being abused by their family ranges from 15% in Japan to 71% in Ethiopia. According to some

statistics, 62% of homicides were committed by their husbands. In Peru, 70% of all reported crimes are crimes related with the domestic violence. Sexual assault has become widespread in Canada, New Zealand, the USA and United Kingdom. According to the international reports, every sixth woman has been raped. According to the National Coalition against Domestic Violence, 25 % of women are subjected to domestic violence during their lifetime.

The United Nations Economic Commission for Europe reminded that in order to solve the problem, one needs to know its scale, and many cases of gender-based violence are not made public - either out of fear of retribution or from a false sense of shame and unwillingness to "disgrace" the family. The perception and awareness of this problem by society is also important [2].

Domestic violence is one of the most prevalent forms of violence dealt with by police officers on a daily basis. The police forces, being the frontline social institution to deal with incidents of domestic violence, have a vital role in assisting victims of domestic abuse. The police agencies not only represent state policy but also act as an important link to both the prosecution process and to the provision of services to victims in a community [3]. The role of the police in cases of domestic violence and abuse is crucial, although research has been critical of the response of frontline officers. Victims might not always get the police response they require and there are still gaps in whether some victims get 'justice' or not. Despite criticisms, the police agencies remain one of the key frontline services that victims can use to prevent and stop incidents of violence and abuse. If the police are called to the scene because someone are being abused, they must make an arrest if they have probable cause to believe a family offense misdemeanor or a felony has been committed against you. To determine probable cause, police will look at whether or not there is evidence such as bruises, torn clothing, overturned furniture, witnesses to the violence, etc. In addition, the police must make an arrest if a stay away order of protection has been violated or if a family offense has been committed in violation of an order of protection.[4]. Countering violence requires an integrated effort, including by enacting laws, offering judicial protection and changing social attitudes and the main -involvement of the law enforcement system as a guarantor of protection and prevention of domestic violence and abuse. Foreign experience shows that the professionalization of law enforcement officers and their active cooperation with crisis centers will increase the effect of prevention activities in society.

Summing up, we can state that the problem of domestic violence is international, and thus, our agencies must take into account the experience of other countries (the advantages and disadvantages of their strategies) and choose the most effective model that we can apply in our country.

### **Список використаних джерел**

1. NSW Police Public«Domestic and family violence».
2. RAINN «Victims of Sexual Violence: Statistics» – Режим доступу: <https://www.rainn.org/statistics/victims-sexual-violence>
3. Rita Retief«Some challenges of policing domestic violence»Stellenbosch University Library, 2015.
4. Jennifer DeCarli, Domestic Violence Legal Coordinator by Law NY® «Police Response to Domestic Violence», 2016.

**Качковський В.**, курсант Національної академії внутрішніх справ

**Консультант з мови: Драмарецька Л.**

### **COMBATING CORRUPTION: USA EXPERIENCE**

Around the world, corruption saps economic growth hinders development, destabilizes governments, undermines democracy, and provides openings for dangerous groups such as criminals, traffickers, and terrorists. The State has made anti-corruption a national security priority and works across the globe to prevent graft, strengthen investigation and prosecution of corruption, promote accountability and transparency, and empower reformers.

By prioritizing anti-corruption, the state seeks to make it even harder for criminality to take root and spread, to promote governments that are more stable and accountable.

The United States believes addressing corruption begins with countries around the world sharing a common vision and a strong commitment to taking effective, practical steps to prevent and prosecute corruption. To turn talk into action, the United States directly engages other countries, promotes internationally recognized standards, sponsors reform programming, and contributes to building the architecture for cross-border cooperation. To sustain this effort, Bureau of International Narcotics and Law Enforcement Affairs (INL) engages in high-level diplomacy and reinforces the important role played by civil society, the media, and the business community.

Corruption and other forms of crime are interconnected: addressing both is core to INL's mission.

Keeping corruption in check:

- Boosts stability, the rule of law, human rights, and democracy.
- Promotes economic growth in foreign markets, and levels the playing field for American businesses.
- Strengthens our law enforcement partners.
- Makes it harder for those engaging in transnational crime, terror, and illegal trade to operate.

The passage of the U.S. Foreign Corrupt Practices Act (FCPA) in 1977 and the Dodd-Frank Act in 2010 inspired similar legislation in other countries. The United States boldly promoted strong international norms, including via the Organisation for Economic Co-operation and Development (OECD) Anti-Bribery Convention in 1999, the United Nations Convention against Corruption (UNCAC) in 2005, and the OGP, a government–civil society partnership that the United States cofounded in 2011. Since 2010, the U.S. Kleptocracy Asset Recovery Initiative has frozen more than \$3.2 billion in stolen funds. Through it all, bilateral diplomacy and foreign assistance to countries around the world have tilted governance equilibria in favor of reform. The Obama administration has made anti-corruption a key element of its democracy agenda, and has strengthened governmentwide efforts to prevent and combat graft, both domestically and internationally. Toward that end, it has been amassed an array of tools and international relationships which are effective in advancing accountability and the rule of law. INL, alongside other State bureaus, has established strong working relationships with the departments of Treasury and Justice, the U.S. Agency for International Development, various United Nations bodies and numerous nongovernmental organizations (NGOs) all over the world to attempt to conduct this effort in a coordinated and comprehensive manner. In addition, DOJ has successfully returned some \$143 million in assets since 2004, and is currently litigating stolen asset cases involving more than a billion dollars. State’s denial of visas to current and former foreign government officials and private citizens who have bribed government officials strongly complements such efforts.

During Fiscal Year 2015, the State Department and U.S. Agency for International Development dedicated more than \$120 million to a wide range of programs to fight corruption globally. This assistance helps governments develop electronic systems—typically less prone to corruption—to carry out government services like the provision of identification documents; supports training to build the capacity of law enforcement officials, prosecutors and members of the judiciary; and bolsters our efforts to mentor parliamentarians to implement key legislation, among many other effective programs. For example, the USA in Ukraine supported the Interior Ministry’s efforts to recruit, vet and train 7,000 new patrol officers; as a result, the police now enjoy an 85-percent approval rating among Ukrainian citizens. To reinforce that progress, Vice President Biden visited Kyiv to announce an aid package totaling more than \$190 million in assistance to help Ukraine prevent and fight corruption, implement reforms and bolster civil society.

Fighting and preventing corruption is not only a government’s responsibility. It requires a bottom-up approach to building citizens’ demand for justice and accountability. With that in mind, the USA is prioritizing efforts to expand civil society’s role and empower citizens to hold their governments accountable. In Mexico, for example, INL has

worked with a local NGO to establish citizens' watch booths in district attorneys' offices located in the Federal District and the states of Mexico and Puebla. The booths are run by volunteers who advise citizens of their rights in reporting crimes, monitor local authorities to ensure that they follow correct procedures, collect data on the quality of services provided and report irregularities. They also support training investigative journalists to uncover corruption at a local level. Local citizens, journalists and organized civil society must all be empowered to expose corrupt practices and feel safe enough to press for the prosecution of perpetrators.

Corruption is a pressing problem in a pandemic. The coronavirus and its associated disease, COVID-19, have only heightened the centrality of anticorruption. In countries where graft is rampant, citizens who cannot pay bribes likely will be locked out of treatment—accelerating the virus's spread and duration. In addition, public anger at government malfeasance in the face of COVID-19 could topple regimes, weaken multilateral alliances, and embolden authoritarian populists. The extent to which democracies will be able to fend off the rise of authoritarianism depends in part on their ability to deliver the services and safety that their citizens seek. Rampant corruption impedes that ability to deliver and undermines government credibility, as seen in the early days of the Ebola epidemic in West Africa. Bolstering democracy globally requires fighting corruption.

So this is not just a moral fight for more ethical, just societies. It is an economic fight for fair, accountable, transparent systems that allow for growth. And it is a fight we must wage both within our borders and alongside our international partners to protect our economic growth and stability, our security and our future. Good governance is a goal we cannot afford to ignore. That is why experience and cooperation with the United States are so important.

#### **Список використаних джерел**

1. Combating Corruption and Promoting Good Governance. URL: <https://www.state.gov/combating-corruption-and-promoting-good-governance/>.

2. Anti-Corruption and Transparency. URL: <https://www.state.gov/policy-issues/anti-corruption-and-transparency/>.

3. Combating Corruption. URL: <https://www.worldbank.org/en/topic/governance/brief/anti-corruption>

4. Regaining U.S. Global Leadership on Anticorruption. URL: <https://carnegieendowment.org/2020/07/01/regaining-u.s.-global-leadership-on-anticorruption-pub-82170>.

5. A U.S. Policy Priority: Combating Corruption by William R. Brownfield, from <https://www.afsa.org/us-policy-priority-combating-corruption>.

*Кізон Д.*, курсант Національної академії  
внутрішніх справ  
Консультант з мови: *Богущий В.*

## **THE USE OF FORCE AGAINST PERPETRATORS OF INTERNATIONAL TERRORISM**

It is evident from history that the international community responds to a regional or international armed conflict in a multifaceted and unclear manner. [2, p. 504–505]. That is, the international community criticizes the use of force by one state in the territory of another. Such force is an apparent breach of territorial sovereignty of the host state when the military actions by the victim state are launched against NSAs in the territory of the host state and when the host state has not given express and open consent to the victim state to use force in its territory. [3, p. 55–62]. This weakens support for the stance of the victim state. As a result, its right of self-defense would appear to be at stake, despite this right having been recognized by Article 51 of the United Nations Charter.

Furthermore, it is pertinent to mention here that modern technology can also help NSAs to grow stronger because it can assist NSAs to act in a more organized manner; for instance, using fast communication tools, the Internet, sophisticated weaponry, location trackers, and other technological tools can help them strategically to hold their presence for a longer time.

NSAs that are more advanced in military capacity as well as in organization can capture natural resources and can use them for financial support. For instance, ISIS has captured the oil wells near the Iraq and Syrian borders and has allegedly been found to be earning around a million dollars a day from exporting oil to some countries. The seizure of such resources can make NSAs, like ISIS, grow stronger and states, like Syria, grow relatively weaker when their territory is captured by NSAs; therefore, the nature of the ISIS threat is getting stronger. Consequently, in a situation where NSAs are growing stronger and are generating threats to states globally, but the international community remains undecided about approving the use of force against them, there can arise the possibility of victim states indulging in proxy wars in host states [1, p. 40–46].

As it is the inherent right of the victim state to use force in its self-defense, the victim state may choose to act either by launching a direct attack against NSAs within the territory of a host state or by punishing them through another NSA group that may not be officially identified as having associations with the victim state. In either case, the victim state would be using force to exercise its inherent right of self-defense. However, such a situation would cause severe damage to the peace and stability of the region, particularly in a situation when the victim state chooses to act surreptitiously by supporting a NSA group to fight against another NSA group threatening the security of the victim state from within the host state's

territory. Moreover, it may also lead to severe human rights violations in which local civilians might also face significant harm, because NSAs do not follow any obligations of international law, despite the fact that the UN Charter and customary international law applies to them. Furthermore, any of the two fighting NSAs may attempt to create a state of its own in the territory captured and controlled by it.

Thus, the main concern is that a divorce between international law and contemporary reality is harmful and becomes imminent in the aforementioned armed conflict, which can convince the victim states to use subversive means to respond in order to preserve their self-defense. These concerns are compelling because international law does not provide guidance particularly in the event of an armed conflict between a state and an NSA residing in another sovereign state; furthermore, there are no particular laws but only inferences from the principles of international law that can suggest or endorse possible reactions for preserving victim states' right of self-defense. Such a situation can impel victim states to behave outside their legal obligations when they do not find any part of international law favoring their self-defense stance. Hence, ignoring the problems such as armed conflict between a state and an NSA in another state can cause ambiguity in international law and, at times, can lead to its disregard by the international community, which may choose to act outside the law to safeguard their self-defense or to protect their interests.

There is an urgent need for international law to evolve in a manner that would provide effective and pragmatic regulations covering all kinds of conflicts and issues, whether between states or between a state and an NSA. Furthermore, international armed conflicts should be regulated in relation to addressing the sovereignty of the states involved in the conflict. Finally, international law also needs to provide effective and pragmatic recommendations for dealing with weak or failed states in such a manner that protects their sovereignty, particularly for those states that are directly or indirectly involved in an armed conflict. Such guidelines, if provided, would result in protecting the sovereignty of states from infringement by NSAs like ISIS.

#### **Список використаних джерел**

1. Andrew Mumford Proxy Warfare and the Future of Conflict. Nottingham : University of Nottingham, 2013. P. 40–46.

2. Krieger, Heike Inducing Compliance with International Humanitarian Law : Lessons from the African Great Lakes Region. Cambridge : Cambridge University Press, 2015. P. 504–550.

3. Ladislav Bizimana Conflict in the African Great Lakes Region : A critical analysis of regional and international involvement. Bilbao : Universidad de Deusto, 1999. P. 55–62.

## **COMBATING FINANCIAL CRIME**

Financial crime threatens people in every aspect of their lives: at home, at work, online and offline.

Theft, fraud, deception, blackmail, corruption, money-laundering... The possibilities for making money illicitly are seemingly endless. To so-called white collar criminals, the risks appear low and the returns high.

Financial crime ranges from basic theft or fraud committed by ill-intentioned individuals to large-scale operations masterminded by organized criminals with a foot on every continent. These are serious criminal activities whose importance should not be minimized as, over and beyond their social and economic impact, they are often closely linked to violent crime and even terrorism.

We are all impacted by financial crime which has taken on a whole new dimension with the rapid advancement of digital technology.

Criminal gangs operate transnationally to avoid detection, and stolen funds cross many physical and virtual borders before they reach their final destination. This is where our global police networks play an essential role.

### **Payment card fraud**

We work with police and financial institutions worldwide to tighten the net on payment card crime.

There are a range of crimes associated with payment cards, payment systems such as point-of-sale terminals and cash machines (ATMs). The prevalence of online payment has been a boon to criminals opening up a host of new opportunities.

Crimes range from actual physical attacks on ATMs, for example using explosives, to sophisticated cyberfraud such as black-box attacks where an unauthorized device sends commands directly to the ATM cash dispenser.

#### **- Card-Present and Card-Not-Present fraud**

In addition to actual card theft, criminals use various methods to capture data including card skimming at ATMs or ticket machines, and phishing. People are often unaware that their card data has been stolen until it is too late. This data may be used to create fake cards or used subsequently for Card-Not-Present fraud (CNP).

#### **- What happens to the data?**

Fraudsters use the information to purchase goods in the name of victims or obtain unauthorized funds from the victims' accounts. Compromised card data may also put up for sale on dark net markets. In many cases, the data stolen in one country is used elsewhere making it harder to trace.

#### **- Cross-border and multi-sector coordination**



International cooperation is required for law enforcement to investigate these crimes, since the victims often live in a different country to where the subsequent theft/fraud/cash-out occurs. This is where our capabilities and support come in.

We cooperate with the European Association for Secure Transactions (EAST). Their website contains the definitions and terminologies of the various types of crimes in this context.

- Global Airport Action Days

These regular operations aim to intercept travellers who are flying on tickets bought with compromised credit card data in order to crack down on the criminal organizations behind them. They are co-organized by Europol, INTERPOL and other international stakeholders.

We mount a command post, and work round the clock with local police forces, airlines, the International Air Transport Association (IATA) and payment card companies. Recent successful operations enabled new modus operandi to be identified where organized crime networks attempted to gain access to transit areas in airports in order to facilitate illegal immigration and drug trafficking.

In June 2018, the action day involved 226 airports in 61 countries, 69 airlines and six online travel agencies; it resulted in 141 arrests.

#### **Список використаних джерел**

1. <https://www.interpol.int/Crimes/Financial-crime/Payment-card-fraud>.
2. <https://www.interpol.int/Crimes/Financial-crime>.

**Козут Є.**, курсант Національної академії внутрішніх справ

**Консультант з мови: Козубенко І.**

### **AUSTRIAN EXPERIENCE IN COMBATING DOMESTIC VIOLENCE**

In November 1996 the Austrian National Assembly passed the Act on Protection against Domestic Violence, which came into force as from 1st of May 1997; amendments became effective on January 1, 2000 and January 1, 2004. The Protection against Domestic Violence Act is not a single law; its provisions are laid down in the Civil Code, the Enforcement Code and the Security Police Act.

The law provides the victim's right to protection from an offender in his/her living environment and social surroundings by entitling the police to impose eviction and barring orders on perpetrators. The barring order can be extended if the person at risk applies to the Family Court for an interim injunction. Furthermore so-called "intervention centres" offering free counselling and support to victims of domestic violence were established.

If a perpetrator threatens or injures a person living in the same household, the police have to evict the perpetrator from the common home and its immediate surroundings and to bar him from re-entering it – even if he is the owner of the house or apartment. Such an order has to be imposed if a dangerous attack on life, health or freedom is imminent. The victim cannot influence the imposition of a barring order.

A barring order is valid for ten days (before the amendment in 2000, it was valid for only seven days) and it is controlled by the police during the first three days. The perpetrator has to hand over his keys to the police; if he wants to pick up some belongings, he has to inform the victim of his visit. When the perpetrator is found at home during the validity of the barring order, he is fined for this offence under the Administrative Criminal Law and can even be arrested if he refuses to leave (if the victim has allowed the offender to come back home, she can be fined, too).

In each of the nine Austrian provinces a so-called intervention centre has been established. These are non-governmental organisations, funded by the Federal Ministries of the Interior and of Social Affairs. Their main tasks are to take care of people subject to violence and to network with all the institutions involved in violence protection. The police have to notify the intervention centre without delay of every eviction and barring order providing also the victim's personal data. The centre contacts the victims and offers support to them (development of crisis plans, safety programmes etc.).

After a barring order has been imposed, the victim can apply for an interim injunction at the Civil Court (Family Court) within ten days. If such an application is submitted, the barring order is automatically prolonged to 20 days. The Court who requires evidence of acts of violence is supposed to come to a decision within this period. Although after barring orders a high number of interim injunctions are allowed, there is no “guarantee” for the allowance.

An interim injunction can be issued against a (former) close relative after physical abuse, or after threats, or in case of psychological terror if this seriously impairs the victim's mental health and whenever these attacks make life with the violent person intolerable. In the Act's first version an injunction was only possible if victim and offender were or had been living in the same household within the last three months; since 2004 there is no time limit anymore.

The temporary injunction is valid for a maximum of three months, only if the victim has filed for a divorce (and in a few other special cases) it can be prolonged up to the divorce. The offender can not only be forbidden re-entry to his house, but he can also be banned from the immediate vicinity and from other defined areas (e.g. the route to the victim's workplace, the workplace, the children's school). Contact in any form can also be forbidden. If the offender violates the order forbidding contact or enters a protected area, the victim can apply for a fine for contempt of court.

It is one of the key characteristics of the Protection against Domestic Violence Act that in case of violence the police has to react without considering the victim's interests. Only in a second step, with regard to the interim injunction, the victim decides autonomously. This twophase approach makes clear that the state feels responsible for safety in private lives and that it is aware of the problematic situation of victims who are involved in a violent relationship and who are put under pressure by the offender .

#### **Список використаних джерел**

1. UN Handbook for Legislation on Violence against Women // The Advocates for Human Rights. URL: [http://www.stopvaw.org/united\\_nations\\_model\\_legislation](http://www.stopvaw.org/united_nations_model_legislation) (дата звернення: 19.12.2017).
2. Die Wiener Interventionsstelle gegen Gewalt in der Familie. URL: <https://www.interventionsstelle-wien.at> (дата звернення: 19.12.2017).

**Кожан Ю.**, курсант Національної академії внутрішніх справ  
**Консультант з мови: Шемякіна Н.**

### **LA LUTTE CONTRE LE TRAFIC DE STUPÉFIANTS EN FRANCE**

Aux termes du code pénal français le trafic de stupéfiants est défini comme un ensemble des actes qui peuvent s'y rapporter: la production, la fabrication, l'exportation, l'importation, le transport, la détention, l'offre (c'est-à-dire le fait de proposer), la cession (le fait de donner ou de vendre), l'acquisition et l'emploi (le fait d'en utiliser autrement qu'en en faisant usage pour soi) illicites de stupéfiants.

Avec un chiffre d'affaires estimé à près de 3,5 milliards d'euros par an, le trafic de stupéfiants est considéré comme le premier «marché criminel» en France[1].

L'Office central pour la répression du trafic illicite des stupéfiants (OCRTIS) était un organisme français de lutte contre le trafic de stupéfiants à compétence nationale notamment dans les Outre-mer. C'était un service spécial de la Sous-direction de la lutte contre la criminalité organisée et la délinquance financière de la direction centrale de la Police judiciaire.

Il comptait environ 140 hommes, qui exerçait leurs compétences d'initiative ou en renfort des services territoriaux de la Sécurité publique ou de la Police judiciaire.

Elle a été remplacée par l'Office anti-stupéfiants (OFAST) le 1<sup>er</sup> janvier 2020 [2].

L'Office anti-stupéfiants (OFAST) est compétent en matière de la lutte contre la production, la fabrication, l'importation, l'exportation, le transport, la détention, l'offre, la cession, l'acquisition ou l'emploi illicites de

stupéfiants, contre les opérations de blanchiment liées au trafic de stupéfiants et contre l'usage illicite de l'une des substances ou plantes classées comme stupéfiants [3].

La brigade des stupéfiants, les “Stups”, est un service de police judiciaire de la police nationale. Son rôle consiste à démanteler les réseaux de trafics de drogues, mais aussi à lutter contre la consommation de produits illicites. Elle mène des actions de répression, de coordination entre les différents services de police, mais aussi de prévention et de formation.

La brigade des stupéfiants composée de quatre groupes chargés de la lutte contre le trafic de stupéfiants. Travaillant essentiellement sur les gros réseaux d'importation en provenance du Maroc via l'Espagne (résine de cannabis), de Hollande ou de Belgique, voire d'Amérique du Sud via l'Afrique (cocaïne, héroïne), la plupart de ces groupes gèrent des dossiers lourds comportant notamment une multitude de surveillances techniques.

La lutte contre la drogue que mène la brigade des stupéfiants, comprend deux aspects: la lutte contre l'usage, et la lutte contre le trafic. La lutte contre l'usage: elle concerne les consommateurs de produits stupéfiants illicites, mais aussi les consommateurs d'alcool qui sèment le trouble sur la voie publique. La lutte contre le trafic: elle s'exerce aussi bien au niveau local, régional, national, qu'international. Les agents de la BS interviennent auprès des petits dealers, mais aussi auprès de grands barons de la drogue. Ils luttent contre tous ceux qui contribuent directement ou indirectement aux trafics de drogues [4].

Les petits dealers sont ceux qui offrent de manière illégale des stupéfiants à des particuliers en vue de leur consommation personnelle (commerce de détail). Ils encourent une peine de prison de 5 ans et une amende de 75 000 euros d'amende. Cela concerne aussi le trafic de stupéfiants entre amis ou entre connaissances. Les gros trafiquants (trafic de gros) encourent des peines beaucoup plus lourdes:

a) 10 ans de prison et 7 500 000 euros d'amende en cas d'importation, d'exportation, de transport, de détention, d'offre, de vente et/ou d'achat de stupéfiants;

b) 20 ans de réclusion criminelle et 7 500 000 euros d'amende en cas de production ou de fabrication illicites de stupéfiants. La durée de la peine de prison est portée à 30 ans en cas de trafic en bande organisée.

c) 30 ans de réclusion criminelle et 7 500 000 euros d'amende en cas d'importation ou d'exportation de stupéfiants en bande organisée [5].

#### **Список використаних джерел**

1. Les chiffres du trafic de stupéfiants en France. URL: Режим доступу до ресурсу: [https://www.lepoint.fr/societe/les-chiffres-du-traffic-de-stupefiants-en-france-16-09-2019-2336030\\_23.php](https://www.lepoint.fr/societe/les-chiffres-du-traffic-de-stupefiants-en-france-16-09-2019-2336030_23.php).

2. Office central pour la répression du trafic illicite des stupéfiants. URL:

[https://fr.wikipedia.org/wiki/Office\\_central\\_pour\\_la\\_répression\\_du\\_trafic\\_illégitime\\_des\\_stupéfiants](https://fr.wikipedia.org/wiki/Office_central_pour_la_répression_du_trafic_illégitime_des_stupéfiants).

3. Office anti-stupéfiants (OFAST). URL: [https://annuaire.service-public.fr/gouvernement/administration-centrale-ou-ministere\\_184308](https://annuaire.service-public.fr/gouvernement/administration-centrale-ou-ministere_184308).

4. La Brigade des Stupéfiants de la Police Nationale “Stups”. URL: <https://www.policenationale.net/brigade-stupefiants/>.

5. Trafic de stupéfiant: crime ou délit? URL: <https://www.jurifiable.com/conseil-juridique/droit-penal/trafic-destupefiants#:~:text=Le%20trafic%20de%20stup%C3%A9fiants%20d%C3%A9signe%20le%20commerce%20ill%C3%A9gal%20de%20substances%20psychotropes.,On%20parle%20aussi>.

**Колесник А.,** здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
**Консультант з мови: Ченківська Н.**

## **CYBERCRIME DURING THE COVID-19 PANDEMIC**

The pandemic of COVID-19 and the imposed lockdown, has led to more people to be confined at home with many more hours to spend online each day and increasingly relying on the Internet to access services, they normally obtain offline.

The dangers of cyber-crime have been there for many years, but the increase in the percentage of the population connected to the Internet and the time spent online, combined with the sense of confinement and the anxiety and fear generated from the lockdown, have provided more opportunities for cybercriminals to take advantage of the situation and make more money or create disruption. It is important to note that some more vulnerable segments of the population, such as children need to spend more time online for services such as schooling. This seismic change in how we live our lives and use the Internet has prompted a proliferation of e-crimes.

Countries all across the globe are reporting an increase in cybercrime during the pandemic. For instance, in Italy, the Polizia Postale, which is the law enforcement branch in charge of the cybercrimes, reported several kinds of scams and frauds that came in the form of ads, emails, fake websites, but also through phone calls and messages. Cybercriminals are capitalizing on the anxieties and fears triggered by the pandemic, using malware, such as viruses, worms, trojan horses, ransomware and spyware, to invade, damage, steal or cancel personal data on personal computers. Stolen data can then be used for different malicious purposes, including accessing bank accounts and blackmailing the victims in exchange of ransoms. A "Corona anti-virus" software has also been flagged to the Italian law enforcement authorities. The application, BlackNet Rat, promises to protect the user's device from coronavirus, but instead, it breaches the computer's security and takes control of the computer, effectively enabling

the criminal to remotely control it. An INTERPOL assessment of the impact of COVID-19 on cybercrime has shown a significant target shift from individuals and small businesses to major corporations, governments and critical infrastructure.

With organizations and businesses rapidly deploying remote systems and networks to support staff working from home, criminals are also taking advantage of increased security vulnerabilities to steal data, generate profits and cause disruption.

In one month period (January to April) some 907,000 spam messages, 737 incidents related to malware and 48,000 malicious URLs – all related to COVID-19 – were detected by one of INTERPOL’s private sector partners [3].

Malware, or malicious software, infiltrates and gains control over a computer system or a mobile device to steal valuable information or damage data. There are many types of malware, and they can complement each other when performing an attack.

**Online Scams and Phishing** – Threat actors have revised their usual online scams and phishing schemes. By deploying COVID-19 themed phishing emails, often impersonating government and health authorities, cybercriminals entice victims into providing their personal data and downloading malicious content. Around two-thirds of member countries which responded to the global cybercrime survey reported a significant use of COVID-19 themes for phishing and online fraud since the outbreak.

**Disruptive Malware (Ransomware and DDoS)** – Cybercriminals are increasingly using disruptive malware against critical infrastructure and healthcare institutions, due to the potential for high impact and financial benefit. In the first two weeks of April 2020, there was a spike in ransomware attacks by multiple threat groups which had been relatively dormant for the past few months. Law enforcement investigations show the majority of attackers estimated quite accurately the maximum amount of ransom they could demand from targeted organizations.

**Data Harvesting Malware** – The deployment of data harvesting malware such as Remote Access Trojan, info stealers, spyware and banking Trojans by cybercriminals is on the rise. Using COVID-19 related information as a lure, threat actors infiltrate systems to compromise networks, steal data, divert money and build botnets.

**Malicious Domains** – Taking advantage of the increased demand for medical supplies and information on COVID-19, there has been a significant increase of cybercriminals registering domain names containing keywords, such as “coronavirus” or “COVID”. These fraudulent websites underpin a wide variety of malicious activities including C2 servers, malware deployment and phishing. From February to March 2020, a 569 per cent growth in malicious registrations, including malware and phishing and a 788 per cent growth in high-risk registrations were detected and reported to INTERPOL by a private sector partner.

**Misinformation** – An increasing amount of misinformation and fake news is spreading rapidly among the public. Unverified information, inadequately understood threats, and conspiracy theories have contributed to anxiety in communities and in some cases facilitated the execution of cyberattacks. Nearly 30 per cent of countries which responded to the global cybercrime survey confirmed the circulation of false information related to COVID-19. Within a one-month period, one country reported 290 postings with the majority containing concealed malware. There are also reports of misinformation being linked to the illegal trade of fraudulent medical commodities. Other cases of misinformation involved scams via mobile text-messages containing 'too good to be true' offers such as free food, special benefits, or large discounts in supermarkets.

**Ransomware** – Hospitals, medical centres and public institutions are being targeted by cybercriminals for ransomware attacks – since they are overwhelmed with the health crisis and cannot afford to be locked out of their systems, the criminals believe they are likely to pay the ransom. The ransomware can enter their systems through emails containing infected links or attachments, compromised employee credentials, or by exploiting a vulnerability in the system.

The COVID-19 pandemic renders individuals and society extremely vulnerable in all respects. During this crisis, we all rely more than ever on computer systems, mobile devices and the Internet to work, communicate, shop, share and receive information and otherwise mitigate the impact of social distancing. There is evidence that malicious actors are exploiting these vulnerabilities to their own advantage.

What should companies do to protect their data and their reputation?

Have strong security protocols - for organizations to not only have strong security protocols, but a strategic crisis communications plan in the event of a breach. Urgency, pace and timing makes all of the difference. Ensure that your communications are consistent, control the message as best as possible and tell the whole truth, not part of the story.

Show empathy and accountability – in responding to a breach, companies must also show a level of empathy, he said. There are victims in cybersecurity breaches, and companies must recognize their customers' or clients' information has been stolen and could possibly be made public. You have to take that with the utmost of importance. There has to be some sort of promise to make it right, to take accountability. Disclose (the breach) sooner rather than later. If you don't, someone else will, and it won't be on your terms.

Avoid creating new standards – when asked what is the biggest mistake that companies can make, it's breaking their own protocols and setting new and different communication standards as they go. There are a lot of one-off questions that come in and there is always that urge to respond. When you breach that protocol, you set a new expectation that you're going to create a one-off communication for every question, and that's just unmanageable.

Make it a team effort - another common mistake is relying on IT to manage the entire response. A lot of clients assume that IT's got it. They probably have a process. They probably have a protocol. They probably took care of all these things. And when you break down the different aspects of a cyber response, which ranges from insurance, to legal, to communications, to HR, to other aspects of it, you realize it's a team sport. There's no way a single IT department, or person or group within IT would be able to deal with all those pieces. That's why preparation at that level is so key [4].

The Council of Europe – like many other organisations – has decided to apply extraordinary measures to limit the spread of the virus and reduce risks to staff and experts. Activities on cybercrime involving physical meetings or international travel as well have been postponed. However, we cannot afford to have our efforts on cybercrime come to a standstill. The staff of the Secretariat of the Cybercrime Convention Committee in Strasbourg and of the Cybercrime Programme Office (C-PROC) in Bucharest continue to work remotely and through video-conferencing to support partners and to advance in our common efforts against cybercrime.

Criminal justice authorities need to engage in full cooperation to detect, investigate, attribute and prosecute the above offences and bring to justice those that exploit the COVID-19 pandemic for their own criminal purposes [5].

The Cybersecurity and Infrastructure Security Agency (CISA) warns individuals to remain vigilant for scams related to Coronavirus Disease 2019 (COVID-19). Cyber actors may send emails with malicious attachments or links to fraudulent websites to trick victims into revealing sensitive information or donating to fraudulent charities or causes. Exercise caution in handling any email with a COVID-19-related subject line, attachment, or hyperlink, and be wary of social media pleas, texts, or calls related to COVID-19 [6].

#### **Список використаних джерел**

1. Cybercrime. URL: <https://www.europol.europa.eu/crime-areas-and-trends/crime-areas/cybercrime>.
2. COVID-19 cyberthreats. URL: <https://www.interpol.int/Crimes/Cybercrime/COVID-19-cyberthreats>.
3. INTERPOL report shows alarming rate of cyberattacks during COVID-19. URL: <https://www.interpol.int/News-and-Events/News/2020/INTERPOL-report-shows-alarming-rate-of-cyberattacks-during-COVID-19>.
4. Cybersecurity in the time of COVID-19. URL: <https://www.national.ca/en/perspectives/detail/cybersecurity-in-the-time-of-covid-19/>.
5. News Cybercrime and COVID-19. URL: <https://www.coe.int/en/web/cybercrime/-/cybercrime-and-covid-19>.
6. Defending Against COVID-19 Cyber Scams. URL: <https://us-cert.cisa.gov/ncas/current-activity/2020/03/06/defending-against-covid-19-cyber-scams>.



**Костюк Ж.**, курсант Національної академії  
внутрішніх справ  
**Консультант з мови: Харчук Н.**

## **INTERNATIONAL STANDARDS OF POLICING**

The effective functioning of the National Police of Ukraine is a necessary condition for the protection for the constitutional order, ensuring the rule of law and order, respect for human rights and freedoms. Successful realization of the national interests and stability of social development of the state depend to a great extent on the activity of the National Police of Ukraine [1].

In today's world, the problems of protecting human rights and freedoms go far beyond the control of an individual state. The degree of realization of human rights in the country depends to a large extent the strict observance and implementation of international standards. European standards of human rights and freedoms can sometimes be directly aimed at regulating the activities of the police and their officials.

The competence of the National Police to implement European human rights standards is evident in various areas of its activity, including in the protection of public safety and order, combating crime, conducting pre-trial investigations, the search of persons, etc.

The signing of international agreements also requires the National Police to strictly observe human rights standards in the enforcement of law enforcement functions, the need to respond to new crime and to act in accordance with international human rights standards.

The international community demands the protection of rights and freedoms and their restoration in the event of their violation. Human rights are in the plane of human-state relations and can be restricted only by specially authorized bodies of the state and only in cases where they are in accordance with the law.

The police is one of the main institutions that provide coercion in the state. Its legality, validity and prudence are the key to the functioning of the legal system of the state. International human rights standards provide for the restriction of police powers to use coercion.

For example, The 1990 Fundamental Principles for the Use of Force and Firearms by UN Law Enforcement Officers stipulate that governments and law enforcement agencies should adopt and implement rules and regulations on the use of force and firearms against persons.

A significant step towards European practices and an important part of law enforcement reform in Ukraine is the creation of a State Bureau of Investigation (DDA).

In order to ensure due attention and respect for human rights, the National Police Directorate for Human Rights was established within the National Police, among the main tasks of the Office are to:

- Study and analyze problematic issues in the activities of police bodies and units regarding the observance of human rights and freedoms;

- Criminal offenses and countering crime,
- Investigation of criminal offenses.

The next important step was the signing of a memorandum of cooperation by the Ministry of Justice and the National Police, which would ensure respect for human rights against citizens, detained by law enforcement agencies and guarantee everyone the right to protection. The Memorandum will ensure the realization of human rights as guaranteed by the Council of Europe's basic documents. This is especially true of ensuring early access to justice, as well as preventing the use of torture and inhuman treatment of detainees.

Respect for the individual, protection of his or her honor and dignity is the basic international principle of all state bodies, public organization and officials.

Guided by the democratic foundations of state development, it is quite clear that the activities of the National Police are built and carried out on the principle of respect for human rights, which in turn is envisaged and regulated by the Constitution of Ukraine, laws of Ukraine and departmental acts.

It is the knowledge of the officers of the national police about the fundamental rights and freedoms of citizens and the manner in which they are exercised that enables them to be properly guided in the application of measures of persuasion and coercion to each individual citizen.

#### **Список використаних джерел**

1. Завдання національної поліції України: проблеми законодавчого закріплення / Д. Денисюк. *Підприємництво, господарство і право*. 2016. № 8 С. 100–104.
2. Про Національну Поліцію : Закон України.

**Кузнєцов І.**, курсант Національної академії  
внутрішніх справ  
**Консультант з мови: Скриник М.**

### **3D PRINTING METHOD AS A METHOD OF MODERN WEAPON MANUFACTURE**

One of the most discussed methods in the mass media over the last decade is the 3D printing method. The essence of this method is the consistent application of layers of material in accordance with a pre-designed programme.

When conducting a handgun identification study, the expert must determine whether the comparable feature is common, private or subgroup. To do this, the expert must be familiar with the various processes used to manufacture parts and parts of the weapon.

The biggest problem when researching a weapon made with this method is safety when the shot is fired, as the sample may collapse during the shot. The "outdated" reliability standards in Ukraine do not allow classifying this product as a firearm after the destruction of the barrel. [1]

Another feature of the 3D printing method is its simple application. Such weapons do not require special skills in manual or machine tool making. Nowadays almost each modern person can master a printing software and printer principle which, by the way, can be downloaded simply from the Internet.

The use of the 3-D printer as described above yields a finished product ready to be used immediately off of the printer instead of waiting for a completed assembly.

The 3-D printer receives its instructions via a software program generically called computer aided design (CAD). The CAD system models the desired object in a solid-modeling program, which means that its models are an agglomeration of points in space rather than a hollow group of stitched-together polygons. With its emphasis on solid, volumetric materials, this type of modeling is particularly well-suited for 3-D printing [2].

After designing the desired object to be manufactured using the CAD program, a design file in a format called Stereolithography (STL) is sent to the 3-D printer. An STL file renders surfaces in the CAD design as a mesh of triangles. The number and size of the triangles determine how accurately curved surfaces are printed. The 3-D printer interprets those STL files into layers, so the object can be built up by the additive printing process.

There are currently seven printing technologies that are in broad development: binder jetting, directed-energy deposition, material extrusion, material jetting, powder bed fusion, sheet lamination and vat photopolymerization. This article will not address the different technologies employed by those methods, but it is important to note that they all employ a technique that adds material to a previously deposited layer.

3-D printing of organic objects and even complex jet engines is happening today.

General Electric recently demonstrated a functional jet engine that was built entirely from 3-D printed parts. The technological breakthroughs in the field are being made at an exponential pace, so much so that it is exceeding the pace predicted by Moore's law. Any discussion of 3-D printing becomes obsolete nearly before it is published.

Unfortunately, criminals and terrorists are very often early adopters that use technologies for illicit purposes not originally intended by the inventors and innovators. A review, then, is necessary to examine how the 3-D printing technology may be misused by criminals and terrorists.

The conclusion may be that modern weapons manufacturing methods are ahead of their research methods, which often lead to failure to

solve serious crimes. Improving the research system directly depends on the future of all of us.

#### **Список використаних джерел**

1. Інноваційні методи та цифрові технології в криміналістиці, судовій експертизі та юридичній практиці : матеріали міжнар. «круглого столу» (Харків, 12 груд. 2019 р.) / редкол.: В. Ю. Шепітько (голов. ред.), В. А. Журавель, В. М. Шевчук, Г. К. Авдєєва. Х. : Право, 2019. 164 с.

2. Sampson B. Case Study – The Forensic Analysis of a 3D Printed Firearm. AFTE 49th Annual Training Seminar: Conference proceedings, Charelston, WV, USA, June 3–8, 2018, pp. 48.

**Кукса Ю.**, здобувач ступеня вищої освіти  
Національної академії внутрішніх справ

**Керівник з мови: Могилевська В.**

#### **INFORMATION SECURITY IN INDIA**

Cyber security is concerned with making cyberspace safe from threats, namely cyber-threats. The notion of “cyber-threats” is rather vague and implies the malicious use of information and communication technologies (ICT) either as a target or as a tool by a wide range of malevolent actors. At the present stage, Cyber security has become an integral aspect of national security. Moreover, its area of influence extends far beyond military domains to cover all aspects of a nation’s governance, economy and welfare [1].

There are about 1.5 billion people in India and almost everyone uses the Internet for all their needs, ranging from shopping to banking, studying to storing data, cyber crimes have also increased in proportion to usage. Currently, the Information Act, 2000 is the primary law for dealing with cybercrime and digital commerce in the country. The Act was first formulated in 2000, and then was revised in 2008 and came into force a year late. The Information Technology (Amendment) Bill, 2008 amended a number of sections that were related to digital data, electronic devices and cybercrimes.

In the Information Technology Amendment Act, 2008, cybersecurity is exercised under sections 43 (data protection), 66 (hacking), 66A (measures against sending offensive messages), 66B punishment for illegally possessing stolen computer resources or communication devices), 67(protection against unauthorised access to data), 69 (cyberterrorism), 70 (securing access or attempting to secure access to a protected system) and 72 (privacy and confidentiality) among others.

The National Technical Research Organisation is the main agency designed to protect national critical infrastructure and to handle all the cybersecurity incidents in critical sectors of the country. Additionally, the

Indian Computer Emergency Response Team (CERT-In) is responsible for incident responses including analysis, forecasts and alerts on cybersecurity issues and breaches [3].

The Indian military, central police organizations, law enforcement agencies and others are deficient in manpower, for software and hardware aspects integral to this field. Moreover, there is a growing demand for professionals in Artificial Intelligence (AI), BlockChain Technology (BCT), Internet of Things (IoT) and Machine Learning (ML). According to several estimates there is a need for at least three million cybersecurity professionals today. India doesn't have the 'active cyber defence' like the EU's General Data Protection Regulation (GDPR) or US' Clarifying Lawful Overseas Use of Data (CLOUD) Act.

Unlike the US, Singapore, and the UK where there is a single umbrella organisation dealing in cybersecurity, India has several central bodies that deal with cyber issues, and each has a different reporting structure. Further, each state government has its own Cyber emergency Response Team (CERT).[1] India lacks indigenisation in hardware as well as software cybersecurity tools. This makes India's cyberspace vulnerable to cyberattacks motivated by state and non-state actors.

Challenges such as growing Chinese influence in Indian telecom space, social media is becoming a powerful tool for dissemination of "information" making it difficult to differentiate fact from fake news. [2]

National Security Imperative: The change in military doctrines favouring the need to raise cyber commands reflects a shift in strategies, which include building deterrence in cyberspace. The need for a competent cyber security infrastructure as part of national security was first emphasized by the Kargil Review Committee 1999. Increasing Importance of Digital Economy: The digital economy today comprises 14-15% of India's total economy, and is targeted to reach 20% by 2024.

Added Complexity: With more inclusion of artificial intelligence (AI), machine learning (ML), data analytics, cloud computing and Internet of Things (IoT), cyberspace will become a complex domain, giving rise to issues of a techno-legal nature. Data is referred to as the currency of the 21st century and due to its bulk creation owing to India's population, several international companies (Google, Amazon etc.) are trying to have access to it. Given this there are issues related to data sovereignty, data localisation, internet governance, etc. Thus, there is a need to build strong cyber security architecture.[1] Given all the shortcomings, Prime Minister Narendra Modi this summer proposed to prepare a draft National Cyber Security Strategy 2020, which provides for the creation of secure cyberspace in India.

New challenges include data protection/privacy, law enforcement in evolving cyberspace, access to data stored overseas, misuse of social media platforms, international cooperation on cybercrime & cyber terrorism, and so on [4].

### **Список використаних джерел**

1. «Cyber Security Framework In India», 2020. URL: <https://www.drishtiiias.com/daily-updates/daily-news-editorials/cyber-security-framework-in-india>.
2. «Cyber-security Challenges in India», 2019. URL: <https://www.jigsawacademy.com/cyber-security-challenges-in-india/>.
3. «The current state of cyber security in India», 2018. URL: <https://opengovasia.com/the-current-state-of-cyber-security-in-india/>.
4. «Why India needs a strong cybersecurity policy soon», 2020. URL: <https://www.expresscomputer.in/security/why-india-needs-a-strong-cybersecurity-policy-soon/62440/>.

*Левковець А.*, здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
Консультант з мови: *Лопутько О.*

### **PROBLEMATIC ISSUES OF DETERMINING MISCONDUCT IN THE CRIMINAL LAW OF UKRAINE**

The impetus for fruitful work on the reform of criminal and administrative-tort legislation was initiated by the Concept of reforming the criminal justice of Ukraine, approved by Presidential Decree of April 8, 2008 No. 311/2008, which among other things proposed to humanize criminal legislation (defendants), to limit the scope of imprisonment sentences, replacing them with, for example, penalties. Divide criminal offenses into crimes and criminal offenses. One of the directions of introduction of the Institute of Criminal Offenses is the exclusion from the system of legal responsibility of administrative responsibility for the act or omission, which infringes on public order, property, rights and freedoms of citizens, established the procedure of administration and enforcement of such offenses as criminal offenses in the law on criminal liability. But such a path is unacceptable in advance because of the even greater criminalization of both the law and society as a whole [1].

On April 24, 2019, the Law of Ukraine “On Amendments to Certain Legislative Acts of Ukraine on Simplifying Pre-trial Investigation of Certain Categories of Criminal Offenses” was published in the Voice of Ukraine newspaper. The relevant Law comes into force on January 1, 2020. The most fundamental changes to the criminal law are the introduction of a criminal misdemeanor, which can be punished by a fine of not more than three thousand tax-free minimum incomes, or other punishment unrelated to imprisonment. It is also envisaged to pay off the criminal record immediately after serving the sentence that committed the crime. The imposition of responsibility for the offense led to a change in the classification of crimes according to the degree of gravity (Article 12), since in fact the offenses under the new Law refer to crimes of small gravity. In turn, crimes by severity will be divided into non-serious, serious and

especially serious. Familiarity with the law allows to state that the formal renaming of the term "crime" to "criminal offense" in some cases seems unjustified [2].

No less serious disadvantage within the framework of the introduction of a criminal offense is the inconsistency of the provisions of criminal law, including the new institute, with the legislation on administrative offenses. In this regard, the conceptual problem of the existence of criminal offenses in the Code of Administrative Offenses, which by their nature is of a criminal nature, remains unresolved. The European Court of Human Rights has repeatedly emphasized this [3].

Decriminalization can be recognized as a process of establishing the grounds for loss of acts of public danger, recognizing the inappropriateness of criminal-law counteraction to such behaviour and abolishing their criminal punishment. The decriminalization of a criminal behaviour that previously provided for criminal liability may be either recognition of a crime other than a crime (administrative, disciplinary, civil or commercial, etc.), or even recognition of such behaviour as lawful. That is, the classification of individual crimes as so-called "minor acts" not only in no way resolves the issue of decriminalization of the current criminal law, but also contradicts the principle of systematicity of such a process.

To date, many scholars believe that a number of legal issues will arise with the passage of a separate law on criminal offenses [4].

Law enforcement practice will also be complicated, especially with regard to delineating different types of punishable acts.

Also, the introduction of criminal misconduct contradicts a number of provisions of the Constitution of Ukraine (for example, Articles 29, 30, 31, 34, 39, 60, 62, 92, etc.).

So, by introducing the concept of "criminal misconduct" in Ukraine, the Parliament will be forced to adopt a number of fundamental changes to the legislation of Ukraine. However, despite all the problems of introducing a criminal misconduct institute, this goal is justified, since the following factors indicate the urgent need to introduce criminal misconduct in Ukraine:

1. The humanization of criminal law by transforming certain non-serious crimes into criminal offenses.

2. Guaranteeing the judicial protection of a person's rights in criminal proceedings on the basis of the requirements of Article 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms. No other state body, except the court, can decide to apply these penalties to the person.

3. Realization of the requirements of the Constitution of Ukraine on the possibility of confiscation of property only on the basis of a court decision.

4. Implementation of the provisions of the Judicial Improvement Concept for the establishment of a fair trial in Ukraine in accordance with European standards for the future of only civil, administrative and criminal courts [5].

### **Список використаних джерел**

1. Problems of implementation of the criminal offence institute in the legislation of Ukraine. URL: <https://naub.oa.edu.ua/>.
2. Application of the concept of "criminal misconduct" in criminal law and law. URL: [http://www.pap.in.ua/5\\_2015/78.pdf](http://www.pap.in.ua/5_2015/78.pdf).
3. Publication of criminal offences: analysis of amendments to legislation. URL: [http://www.lvduvs.edu.ua/documents\\_pdf/biblioteka/nauk\\_konf/31\\_05\\_2019.pdf](http://www.lvduvs.edu.ua/documents_pdf/biblioteka/nauk_konf/31_05_2019.pdf).
4. Introduction of the Institute of Criminal Misconduct as a Necessary Component of Criminal Justice Reform. URL: <https://www.pravo.org.ua/ua/news/2499>.
5. Scientific and legislative support for the realization of the concept of criminal misconduct: monograph / SV Kivalov, VO Tuliakov, NA Miroshnichenko [and others]; for the total. ed. SV Kivalova, VA Tuliakova; OU OUA. Odessa: Law. L-ra, 2014. 176 p.

*Левченко Я.*, курсант Національної академії внутрішніх справ  
**Консультант з мови: Цимбалюк Т.**

### **EXPERIENCE OF POLICE STAFF TRAINING IN FOREIGN COUNTRIES**

The profession of a police officer is extremely complex and responsible. Staffing is one of the systemic problems for the Ministry of Interior. The effectiveness of this work depends on those who are entrusted with the implementation of government decisions, public order and the fight against crime.

Consider the experience of the EU and the US in the selection of police personnel, the French police are a complex system run by the Ministry of the Interior. Police functions in France are performed by the National Police and the National Gendarmerie. The National Gendarmerie is under the control of the French Ministry of Defense, and the main department of the National Gendarmerie is in command of the military districts on the ground.

Organizational and control functions together with the Central Directorate of Management are performed by the General Inspectorate of the French National Police.

The Director General of the French National Police has his own Cabinet (Board), which performs organizational, support and advisory functions. The Security Service of the Ministry of Internal Affairs, the Central Automobile Service, the Central Sports Service and others operate under the General Directorate of the National Police [1].

The initial training of future police officers in the United States presents standards with minimum requirements that are mandatory.



Training standards depend on the mandatory minimum number of hours of initial training.

In different states, training varies from 320 hours (South Dakota, Tennessee, Kansas) to 690 hours (Wisconsin) and up to 1040 hours (Hawaii).

Individuals who wish to work for the United States Police must have a certificate of completion in the following disciplines: law enforcement; administration of justice; psychology; advocacy; history of the United States of America; public administration; English; legal relations; sociology; commercial law.

Candidates who have completed school and wish to join the police service after reaching the age of 21 have the opportunity to undergo a police internship. Experienced instructors conduct classes with this category of candidates.

The training includes classes on the Constitution and civil rights, state laws and municipal regulations, accident investigation regulations, and more. Practiced patrolling, traffic control, training in firearms, personal safety techniques, rules of conduct in extreme situations [2].

The Polish police carry out the tasks specified in the provisions of European Union law, as well as in international treaties and agreements, on the basis and to the extent specified in them.

The process of recruiting a candidate for service in the Polish police is step-by-step, takes place in field and training police units and includes:

- processing of documentation on their compliance to the requirements;

- interview with the applicant; solving test tasks in the field of general knowledge (state police department, public safety);

- testing of applicants for physical training; solving psychological test tasks (development of intelligence, behavior in social life, testing of stress resistance in certain situations);

- verification of the person for admission and compliance with information that has information with limited access;

- passing a specialized medical commission (checking the physical and mental level of the candidate for police service).

Appointment takes place under the following conditions:

- 1) for the period of preparatory or candidate service;

- 2) for the period of contract service; indefinitely [3].

Thus, it can be concluded that the training of police officers in developed countries, the EU and the US have a high material and technical component, a high level of organization of the educational process and their own scientific achievements, the development of skills that are brought to automatism.

### **Список використаних джерел**

1. Code de procédure pénale (Code of criminal procedure of France). Act No. 2005–1550. 12 December 2005. URL: [http://www.legifrance.gouv.fr/content/download/1958/13719/version/3/file/Code\\_34.pdf](http://www.legifrance.gouv.fr/content/download/1958/13719/version/3/file/Code_34.pdf).
2. How cops are taught in America. Kyiv, 2018. URL: <http://mmr.net.ua/13456475892385>.
3. On the police: the law of the Republic of Poland of 1990 / trans. from the floor. languages A. Poritkom. Center for Political and Legal Reforms: ofits. site. URL: <http://pravo.org.ua/files/Criminal%20justice/Poland>.

*Лінчевська А.,* курсант Національної академії внутрішніх справ  
**Консультант з мови: Хоменко О.**

### **SUCCESSFUL EXPERIENCE OF TURKEY, CANADA AND G7 IN COUNTERING ORGANIZED CRIME**

Ukraine has declared its intention to enter the European Union of developed democracies that have high standards of safety, well-being, and living, as well as the priority of human rights, the rule of law, and punishment inevitability for those who have committed a crime. Strengthening of democratic institutions is impossible without reducing the negative effects of corruption and organized crime, which remain one of the greatest current threats in our country. Therefore, the study of foreign experience in countering organized crime in general and in the financial system particularly is becoming especially relevant today and that is why the topic should be learnt extensively [1, p. 25].

Organized crime has become a serious concern for the entire global community. The era of globalization has transformed the world into a new social order characterized primarily by the unrestricted movement of goods and factors of production along national borders. The globalization of society and the advancements in transportation and communication technologies have provided various opportunities not only for the prosperity of our societies, but also for the criminal world as well.

Availing themselves of these advancements, organized crime syndicates have become a major challenge for the international community. It can even be said that organized crime has become among the top non-military threats to international security and stability since the end of the Cold War [4].

Combating international organized crime is one of the major challenges for the international community. Although law enforcement is primarily the responsibility of sovereign nations, crime is becoming increasingly global. Thus, organized crime requires a coordinated international response and a close regional cooperation.

### **Turkey's cooperation against international crime**

Bilateral agreements for cooperation against drug trafficking, terrorism and organized crime do also have significant importance. Turkey has concluded such agreements with more than 70 countries. Furthermore, as a country which has achieved great success in the fight against organized crime and illicit drug trafficking, Turkey has lead a national initiative aimed at setting up an infrastructure to carry out efforts at the international level. Within this framework, the Turkish International Academy Against Drugs and Organized Crime (TADOC) was founded in Turkey with the cooperation of the United Nations Office on Drugs and Crime. TADOC, with the aim of sustaining and improving the conditions of the fight against organized criminal groups in the light of scientific data has set up an appropriate basis to establish and foster regional and international cooperation by building a network in the fight against crimes by integrating trainees from different agencies of various countries. Since its establishment in 2000, more than 1600 national and international law enforcement officers have participated in the training and seminar programs organized by TADOC [4].

### **1989 meeting of G-7 leaders in Paris**

As an example, there is a successful experience of international countering organized crime in financial sphere. Considering the relevance of the issues related to money-laundering, at the 1989 meeting of G-7 leaders in Paris, the Financial Action Task Force (FATF) was set up to develop financial measures against money-laundering. The FATF is an intergovernmental body that develops an anti-money laundering policy and contributes to its implementation at the national and international levels.

The FATF consists of 29 participating countries all over the world and two regional organizations: the European Commission and the Gulf Cooperation Council. The FATF mission is to ensure that all financial centers comply with international standards for prevention, detection, and prosecution of money laundering. The FATF has developed Forty Recommendations, which are international standards and constitute the basic structure of counter-measures against money laundering to be applied at the global level. They define the general principles for action to be reflected in the national legislation of the countries on the following issues: criminal liability, the justice system, administrative and civil coercion measures, the financial system, international cooperation, etc. and emphasize the need to strengthen national legal actions aimed at the counteraction to money laundering, to increase the role of the financial and banking system in this matter, and to expand international cooperation.

The FATF focuses on analyzing global financial flows, banking and financial systems and money laundering practices with a view to identifying weaknesses in combating this phenomenon. In case of negative evaluation results, the FATF has the right to apply certain measures, such as warnings issued for a country, blacklisting a country (the list of countries that do not cooperate with the FATF against money laundering), even to apply

recommendations on limiting cooperation with offending countries. The consequence of sanctions may be restrictions and termination of settlements, blocking funds on correspondent accounts of banks and accounts of enterprises, closing these accounts, etc [1, p. 25–29].

### **Legalization or Decriminalization of Certain Goods and Services in Canada**

Canada has made great progress in combating organized crime. One of the most successful methods is legalization of certain goods and services. Rather than increasing regulation, the decriminalization of some goods and services provided by criminal networks might lessen the social demand that fuels organized crime. For example, a number of arguments have been made for the decriminalization of the possession of various psychotropic drugs. The substantial expenditures associated with drug enforcement could be allocated elsewhere (e.g., for treatment) and the medical as well as social ills (including crime) associated with the illicit status of heroin and other substances could potentially be minimized. Drug enforcement is not only costly; it has also been shown to be limited in its ability to curtail supply.

Also, it has been argued that the current approach drives up drug prices, thereby subsidizing rather than combating drug traffickers. Prohibition in the US during the 1920s and 1930s transformed organized crime from small peddlers of vice into powerful crime syndicates with political connections, respectability that came from serving the public the alcohol they desired, and the organization to deliver contraband to large numbers of people. Without the lucrative profits from drugs, criminal organizations might no longer be viable, although some evidence suggests that they might shift to other activities. In Colombia, for example, pressure against the drug cartels led some of their henchmen to take up kidnapping for a living, thereby dramatically increasing the incidence of this crime. Also, legalization in one country would have no bearing on the demand for illicit substances in other countries. Thus, some of the major cartels would continue to operate.

The major downside of legalization is that consumption might increase with the greater acceptability and accessibility of various substances. Increasing consumption may be viewed as inherently undesirable and may create a variety of social, health, and economic costs. Also, there is no guarantee that legalization necessarily cuts into the profits of organized crime. For example, the proliferation of state-run lotteries in the US during the 1970s was said to produce no threat to the revenues of illegal gambling operators. This may be the case because the level of gambling and other behaviors that have been subject to prohibition is not fixed. State-run operations may simply increase participation in such activities. Furthermore, the regulation and taxation of drug markets may prove to be an insurmountable challenge. For example, there are so many foreign and domestic sources of marijuana that much of its production and distribution would remain beyond the reach of regulators [3].

In a context where criminality respects no national border or sovereignty, it is vital to have a comprehensive approach to fighting crime and strengthen international cooperation, particularly between judicial bodies and law enforcement agencies. France, Turkey, Canada and other countries therefore play an active role in multilateral forums dealing with these issues, working to ensure the coherence and effectiveness of the different forums [2].

#### **Список використаних джерел**

1. Bohdan Holovkin, Kostyantyn Marysyuk Foreign experience in countering (preventing) organized crime in the financial system: special law enforcement bodies and strategic priorities / Baltic Journal of Economic Studies / Vol. 5, No. 3, 2019 / pp. 25–29.

2. France and the fight against organized crime [digital resource] <https://www.diplomatie.gouv.fr/en/french-foreign-policy/security-disarmament-and-non-proliferation/fight-against-organized-criminality/>.

3. Legalization or Decriminalization of Certain Goods and Services / Date modified: 2015-01-07. URL: [https://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr05\\_5/p8.html](https://www.justice.gc.ca/eng/rp-pr/csj-sjc/jsp-sjp/rr05_5/p8.html).

4. Turkey's Efforts In Combating Organized Crime. URL: [http://www.mfa.gov.tr/turkey\\_s-efforts-in-combating-organized-crime.en.mfa](http://www.mfa.gov.tr/turkey_s-efforts-in-combating-organized-crime.en.mfa).

*Лось Ю.*, курсант Національної академії  
внутрішніх справ  
**Консультант з мови: Марченко І.**

### **DRUG SMUGGLING TO THE UNITED STATES BY PLANE**

Criminal networks traffic a range of drugs including cannabis, cocaine, heroin and methamphetamine. As international borders become increasingly porous, global abuse and accessibility to drugs have become increasingly widespread. This international trade involves growers, producers, couriers, suppliers and dealers. It affects almost all of our member countries, undermining political and economic stability, ruining the lives of individuals and damaging communities. The end-users and addicts are often the victims of a powerful and manipulative business [2].

Drug trafficking is often associated with other forms of crime, such as money laundering or corruption. Trafficking routes can also be used by criminal networks to transport other illicit products. As criminals devise ever-more creative ways of disguising illegal drugs for transport, law enforcement faces challenges in detecting such concealed substances. In addition, new synthetic drugs are produced with regularity, so police need to always be aware of new trends and products on the illicit market.

Significant amounts of cocaine and marijuana are smuggled into the United States by private aircraft, although a large volume of both drugs enters the country by other means. Smugglers have adapted to increased

federal anti-smuggling efforts by adopting new methods that exploit vulnerabilities in the air interdiction system. The organization of federal air interdiction efforts is currently changing.

Numerous drugs are transported to the United States by air. As interdiction capabilities have increased, particularly in the southeastern United States where there has been a major build-up of radar surveillance equipment and coverage, it appears that airborne drug smugglers have modified their smuggling methods and routes to avoid detection and apprehension. According to a recent EPIC report, drug smugglers flying drugs destined for the United States have used such methods as switching to different airports, mixing transportation modes, air dropping, or shifting to other smuggling methods. It appears that air interdiction efforts have disrupted drug smugglers operations.

Air interdiction is one of several drug interdiction programs with a principal objective of controlling illegal drug smuggling into the United States. The primary goal of all interdiction programs is to deter drug smuggling, and thereby reduce the availability of imported drugs by intercepting and seizing (interdicting) illegal drug shipments coming into the United States. During a fiscal year, about \$1 billion of the approximately \$3.8 billion spent by the federal government on anti-drug abuse efforts was used for interdiction programs. Air interdiction programs are aimed at smugglers using aircraft to bring drugs into the United States. Air interdiction efforts focus on small, privately owned aircraft (also known as general aviation aircraft) as opposed to aircraft operated by commercial passenger and cargo airlines. Smugglers also use commercial airlines to smuggle drugs into this country through airports. The principal method of interdicting drugs smuggled through airports into the United States on commercial airlines is the Customs Service inspection of the aircraft and its passengers and cargo when the aircraft enters a U.S. airport [1].

How do smugglers transport drugs to the United States? Recent intelligence from EPIC indicates that drug smugglers are using alternative routes and innovative methods of transporting their drugs instead of flying directly into the United States illegally. Examples of various methods include:

- 1) flying into the Bahamas or Mexico and then bringing the drugs into the United States aboard small marine vessels or land vehicles;
- 2) obtaining intelligence on air interdiction capabilities and activities, such as gaps in radar coverage, and flying around the coverage;
- 3) adding extra fuel tanks to the aircraft, which could enable smugglers to fly from South America to the United States or nearby island nations without refueling;
- 4) making airdrops near or in U.S. territory, and then flying away without ever entering U.S. law enforcement jurisdiction;
- 5) entering the United States legally by following proper flight procedures and then attempting to bypass Customs' inspection process;
- 6) switching to different conveyances to avoid air interdiction efforts;

7) switching air smuggling routes to avoid the southeast area; and (8) filing a flight plan for a U.S. airport and, at the last minute, deviating from the plan to quickly unload the drugs [3].

#### **Список використаних джерел**

1. Drug smuggling. Capabilities for Interdicting Private Aircraft Are Limited and Costly. URL: <https://www.gao.gov/assets/150/147877.pdf> (дата звернення 5.10.2020).

2. Drug trafficking affects all parts of the world as either source, transit or destination regions. URL: <https://www.interpol.int/Crimes/Drug-trafficking> (дата звернення 05.10.2020).

3. URL: <https://journals.sagepub.com/doi/abs/10.1177/001112878202800108> (дата звернення 5.10.2020).

**Мазур Е.**, курсант Національної академії  
внутрішніх справ

**Консультант з мови: Скриник Л.**

### **FIGHT AGAINST ORGANIZED CRIME IN EUROPE**

This report attempts to provide an overview of the situation of organized crime in Europe, drawing on official and academic sources.

Since the late 1980s, organized crime has become a hot topic in public debate and in the political and scientific agenda all over Europe. To control organized crime, far-reaching legal and institutional reforms have been passed in all European states and special instruments have been adopted by all major international organizations, ranging from the European Union to the Council of Europe and the United Nations.

First of all, I want to give the definition of the term “organized crime”. The most common definition is that organized crime – a category of transnational, national, or local groupings of highly centralized enterprises run by criminals to engage in illegal activity, most commonly for profit. Some criminal organizations, such as terrorist groups, are politically motivated. We can find at least three different notions about the nature of organized crime. One view holds that organized crime is primarily about “crime”. According to another view, the emphasis is on “organized”. It is not so important what offenders do, but how they are linked to each other. Finally, there is a view that organized crime does not have to do primarily with specific forms of criminal activities or specific collective forms of crime, but with the concentration of power.

The second important question I’d like to discuss is organized criminal activities in Europe. For Europe as a whole the Council of Europe “Organized Crime Situation Report” lists the following crime categories: trafficking in drugs, trafficking in human beings, smuggling of persons, cybercrime (including online fraud schemes), money laundering, and “other activities” (including extortion, property crimes and smuggling), with economic crimes, mainly encompassing fraud and tax fraud, receiving special attention in a separate section. One of the significant features of the

European crime landscape is that certain criminal activities link particular countries and regions within Europe and also Europe with other parts of the world. One significant facet is the East-West dimension connecting former Soviet Bloc and Balkan countries (and also transition and developing countries outside Europe) with the older Member States of the European Union in such diverse areas of crime as trafficking in stolen motor vehicles, cigarette smuggling, serial burglary, so-called ram raids, and product piracy. It must be noted, however, that the fall of the Iron Curtain has not only created opportunities for the victimization of Western countries by criminals from the East. Apart from the fact that Western Europe is a major source of synthetic drugs for the world market, there are a number of areas of crime, such as child pornography and child prostitution, human trafficking, organ trafficking, trafficking in plundered antiquities, trafficking in endangered plants and species, and illegal waste disposal, where criminal victimization originates in Western Europe.

Organized crime is a threat to European citizens, businesses, state institutions as well as the economy as a whole. Criminals easily operate across borders, which creates a need for consistent European-level action. The EU continuously adapts its response in relation to the growing complexity of the situation. This is also reflected in the development of specialized EU agencies, such as Europol, Eurojust and CEPOL. These agencies take following actions in fight against organized crime:

1. Trafficking in human beings for whatever purpose – sexual or labour exploitation – and the sexual exploitation of children, including child pornography, are despicable crimes affecting the most vulnerable citizens.

2. Large-scale attacks against information systems and various other forms of cybercrime.

3. Modern financial crimes, including tax fraud, identity theft, money laundering and outright corruption.

4. The EU's action to fight drugs is closely connected to the fight against organized crime and to the high-level protection of health.

Operational activities, such as pursuing and prosecuting criminals, remain the responsibility of EU States. The Commission's objective is to assist EU States in fighting organized crime more effectively. The EU's action extends from crime prevention to law enforcement and is based on various tools, such as legislative measures, harmonizing rules concerning offences in relation to a criminal organization, the gathering of reliable crime statistics and the funding of European projects or specialist networks.

#### **Список використаних джерел**

1. Organized crime in Europe: Conceptions and Realities. A Journal of Policy and Practice, 2(1), 2008, 7-17. URL: [https://www.researchgate.net/publication/238412294\\_Organized\\_Crime\\_in\\_Europe\\_Conceptions\\_and\\_Realities](https://www.researchgate.net/publication/238412294_Organized_Crime_in_Europe_Conceptions_and_Realities).

2. United Mafias of Europe: what is lacking to fight crime in EU. Interactive map: the presence of clans in each Member State. URL: <https://www.ilfattoquotidiano.it/longform/mafia-and-organized-crime-in-europe/map>.



## **LA LUTTE CONTRE LA CYBERCRIMINALITÉ**

La cybercriminalité est l'une des formes de la criminalité qui connaît la plus forte croissance tant au niveau national qu'international. Elle recouvre ainsi toute activité illégale ou irrégulière réalisée à travers le cyberspace: escroqueries, fraudes, extorsions, abus, espionnages, vandalisms etc. La cybercriminalité comprend toute forme de malveillance électronique effectuée au moyen de l'informatique et des télécommunications (téléphonie, cartes bleue etc).

En droit français, la cybercriminalité est définie comme l'ensemble des infractions pénales qui sont commises via les réseaux informatiques, notamment, sur le réseau Internet. Ce terme désigne à la fois:

1) les atteintes aux biens: fraude à la carte bleue sur Internet sans le consentement de son titulaire; vente par petites annonces ou aux enchères d'objets volés ou contrefaits; encaissement d'un paiement sans livraison de la marchandise ou autres escroqueries en tout genre; piratage d'ordinateur; gravure pour soi ou pour autrui de musiques, films ou logiciels.

2) les atteintes aux personnes: diffusion d'images pédophiles, de méthodes pour se suicider, de recettes d'explosifs ou d'injures à caractère racial; diffusion auprès des enfants de photographies à caractère pornographique ou violent; atteinte à la vie privée.

Pour lutter contre ce phénomène, en France le décret du 15 mai 2000 a créé au sein de la direction centrale de la police judiciaire un office central de la lutte contre la criminalité liée aux technologies de l'information et de la communication (OCLCTIC).

OCLCTIC est chargé:

1) d'animer et coordonner la lutte contre les auteurs d'infractions liées aux technologies de l'information et de la communication;

2) de procéder, à la demande de l'autorité judiciaire, à tous actes d'enquêtes et travaux techniques d'investigations;

3) d'apporter, à leur demande, une assistance aux services de police, de gendarmerie et de douane en cas d'infractions liées aux hautes technologies;

4) de centraliser et diffuser l'information sur les infractions technologiques à l'ensemble des services répressifs.

L'OCLCTIC traite les affaires judiciaires qui concernent les atteintes aux systèmes de traitements automatisés de données, les fraudes aux télécommunications, les fraudes aux cartes de paiement et à microprocesseurs, ainsi que toutes les formes de criminalité qui utilisent les nouvelles technologies. En fonction des nécessités, l'office peut effectuer une surveillance active des réseaux (site web, forum de discussions...) et procéder à toute vérification utile ainsi qu'à la localisation de serveurs. [1]

En Ukraine, la cyberpolice a été créée le 5 octobre 2015. C'est un office territorial interrégional de la police nationale de l'Ukraine qui fait

partie de la police criminelle et, conformément à la législation ukrainienne, assure la mise en œuvre de la politique d'État dans la lutte contre la cybercriminalité. Elle est chargée de: la prévention, la repression et la détection des infractions pénales ainsi que des mécanismes de préparation, commission ou dissimulation d'une infraction en utilisant le réseau et systèmes informatiques Internet. Les missions de la cyberpolice ukrainienne sont suivantes :

- 1) mettre en œuvre la politique de l'État dans le domaine de la lutte contre la cybercriminalité;
- 2) informer rapidement la population de l'apparition des nouvelles formes de la cybercriminalité;
- 3) mettre en place un logiciel d'analyse et d'information sur des cyberincidents, des cybermenaces et des cybercrimes;
- 4) répondre aux demandes des partenaires étrangers via le réseau national de points de contact 24h / 24;
- 5) assurer la formation des policiers ukrainiens dans le domaine de la lutte contre la cybercriminalité;
- 6) participer aux opérations internationales et coopérer en temps réel en matière de la lutte contre la cybercriminalité.
- 7) lutter contre la cybercriminalité [3].

Donc, pour lutter contre la cybercriminalité il existe un dispositif spécial national et international. En France la lutte contre la cybercriminalité est assurée par l'Office central de la lutte contre la criminalité liée aux technologies de l'information et de la communication, en Ukraine, par la cyberpolice. La lutte contre la cybercriminalité nécessite des efforts conjoints de l'État, des citoyens et de la communauté internationale.

#### **Список використаних джерел**

1. La lutte contre cybercriminalité [Мультимедійний навч. посіб.]/ Шемякіна Н.В. К.: MBC України. НАВС, 2013. URL: <http://www.naiu.kiev.ua/books/french/index.html>. – 2013: Режим доступу до посіб.: <http://www.naiu.kiev.ua/books/french/index.html>.
2. La cybercriminalité [tps://fr.wikipedia.org/wiki/ la lutte contre la cybercriminalité](https://fr.wikipedia.org/wiki/la_lutte_contre_la_cybercriminalite).

**Максименко О.**, кандидат юридичних наук,  
старший науковий співробітник;  
**Тітаренко К.**, курсант Національної  
академії внутрішніх справ

#### **ACTIVITIES OF THE POLISH POLICE IN COMBATING JUVENILE DELINQUENCY**

The development of democratic institutions and legislation in the Republic of Poland is not possible without defining the country's concept of combating crime, especially among children. According to Article 1 of the UN Convention on the Rights of the Child, a child is any human being

under the age of 18 if, under the law applicable to that person, he or she does not reach the age of majority [1], the Polish law is similar.

A juvenile does not become a criminal suddenly, at the time of the crime, but is formed within a certain set of causes and conditions which, in turn, form the motivation of individual criminal manifestations of minors, depending on the environment in which the individual was formed and his upbringing.

According to statistical studies, the largest number of crimes in Ukraine and Poland are committed by minors in a state of alcohol and drug intoxication, prone to begging and vagrancy [2].

The Polish Police, together with citizens, is involved in the prevention of negative phenomena among children who are prone to committing crimes. Preventive measures among minors are especially important in the activities of the Polish police. The police have a wide range of powers to carry out preventive work. In Poland, there is a municipal (public) police, which reports to the relevant local government, and whose activities are aimed at preventing traffic offenses and maintaining public order in some municipalities, including children. In particular, the powers of municipal police inspectors include:

- assistance in ensuring the safety of persons and property within their powers;
- supervision over the observance of the rules of conduct in public places established by local self-government bodies;
- supervision of compliance with traffic rules and public order;
- participation in the prevention of offenses in a specific area of municipalities;
- supervision of cleanliness in public places [3]

According to the Law of Poland № 1619 of November 3, 2010 "On methods and forms of police officers to perform tasks in the field of combating demoralization and juvenile delinquency and activities in the interests of minors", preventive actions of minors and minors and persons exerting demoralizing influence on them, occurs, in particular:

- 1) patrolling and bypassing:
  - a) areas of schools and institutions of care and education,
  - b) places of grouping of minors,
  - c) venues of entertainment or entertainment activities involving minors;
- 2) the identification of minors who remain unattended at night by their parents or guardians in places and circumstances where they may become victims or perpetrators of a crime or offense, and in justified cases transfer them to their parents or guardians with the written confirmation specified in § 6 sec 3;
- 3) detection of prostitution, sale and joint use of alcohol, tobacco products, intoxicants, psychotropic substances or precursors among minors;
- 4) responding to any situation that may violate the interests of a minor [4].

In Poland, too, the police together with the community can create prevention programs in the field of prevention of alcoholism, drug addiction, and other negative phenomena among young people, their parents and caregivers. One example is a nationwide educational campaign under the honorary patronage of the Chief of Police, aimed at reducing the sale of alcohol to minors. The main form of activity within the campaign was directed by police (patrol services, district services, specialists in juvenile affairs, crime prevention) activities aimed at sellers of alcoholic beverages. As part of the campaign, preventive graphic materials (leaflets, posters and stickers) were prepared with the substantial support of the Department of Juvenile Affairs, which were delivered to the outlets of alcoholic beverages as an auxiliary element in the education of sellers.

In addition, there were videos on public television that drew attention to the fact that the appearance of an adult does not mean adulthood. A campaign called "Looks deceptive, no evidence." awarded in an international competition in the communications industry [5].

Thus, without a comprehensive approach to combating negative phenomena in the youth environment, effective work in this direction is almost impossible to achieve. The Polish police, together with the public, are taking a number of measures to combat child crime. The legislation of the Republic provides for the procedure and conditions of activity of police officers who are engaged in the prevention of negative phenomena among children who are prone to committing crimes and in relation to them.

#### **Список використаних джерел**

1. UN Convention on the Rights of the Child. URL: [https://zakon.rada.gov.ua/laws/show/995\\_021#Text](https://zakon.rada.gov.ua/laws/show/995_021#Text).

2. Report. URL: file:///D:/%D0%9C%D0%BE%D0%B8%20%D0%B4%D0%BE%D0%BA%D1%83%D0%BC%D0%B5%D0%BD%D1%82%D1%8B/Downloads/Raport\_2010\_17\_05\_2011\_ost.pdf

3. Bud O. Organization and legal regulation of the application of preventive police measures in the field of law enforcement in the country: the experience of several European countries for Ukraine / Orest Bud // *Legea si viata: Law and Life: International. scientific-practical magazine*. 2019. № 2/2 (February). P. 36-41.

4. Prevention of juvenile delinquency in Poland. URL: <https://sip.lex.pl/akty-prawne/dzienniki-resortowe/metody-i-formy-wykonywania-zadan-przez-policjantow-w-zakresie-34441389>

5. Police and community activities. URL: file:///D:/%D0%9C%D0%BE%D0%B8%20%D0%B4%D0%BE%D0%BA%D1%83%D0%BC%D0%B5%D0%BD%D1%82%D1%8B/Downloads/Dziennik\_Urzedowy\_nr\_11.pdf.

*Марков М.*, професор кафедри  
оперативно-розшукової діяльності  
Національної академії внутрішніх  
справ, кандидат юридичних наук,  
доцент;

*Калашник В.*, курсант Національної  
академії внутрішніх справ

## **THE ROLE OF INTERPOL IN THE FIGHT AGAINST CRIME**

Today in the context of world globalization, it is important to create and operate mechanisms that combat international crimes. Special attention has to be paid to cooperation between states in the fight against crime. That is why studying the Interpol's activities as an international organization, which fights against crime is one of the urgent tasks as a theory and practice.

For every state in the world is and will continue to be relevant maintaining the rule of law and fighting criminal acts, including the most dangerous forms of them - those that have international ties or cross-border nature as the main task. Governments' efforts, which aim is to achieve coordinated cooperation in the fight against crime continue for several decades. Today, such interstate cooperation includes the provision of legal assistance in the search for and apprehension of criminals or suspected criminals, assistance in the collection and storage of information about specific individuals and criminal organizations, and in general has characteristics of both operational search and organizational management activities. [1, p. 101].

So, the range of important tasks in the fighting against international crime are solved with the help of international organizations and is implemented at the global and regional levels. The International Organization of Criminal Police – Interpol takes the leading place among international organizations at the global level, which fight against international crimes [2, p. 566].

Interpol is the only international organization that is directly involved in the fight against crime. Interpol was established in 1923 as the International Criminal Police Commission (ICCP) to coordinate the fight against various criminal offenses in Vienna. In 1938, it virtually ceased to exist due to the occupation of Austria by Nazi Germany. In 1946, it was restored in its present form. In 1956, the Statut of Interpol came into force. More than 150 states are members of Interpol. The headquarters is located in Lyon (France). Interpol received the status of an International Intergovernmental Organization at the UN [3, p. 170].

The structure of Interpol provides for each member state of the National Central Bureau (NCB) of Interpol – a unit that directly ensures the international cooperation of law enforcement agencies of their country

within Interpol. In Ukraine, it is the NCB of Interpol of Ukraine (Ukrburo of Interpol), which functions as the structure of the Ministry of Internal Affairs of Ukraine.

Today, the Ukrburo is a powerful independent structural unit of the National Police of Ukraine, which provides Ukraine's representation in Interpol. Not only the police, but also the prosecutor's office, the Security Service of Ukraine, the State Fiscal Service, the State Border Guard Service, the Foreign Intelligence Service, etc., cooperate with the UkrBureau of Interpol.

According to the Statute, Interpol does not engage in or interfere in political, military, religious or racial spheres. All countries that are members of Interpol have equal rights regardless of the size, of their financial contributions, etc. Interpol through the NCB cooperates with law enforcement agencies involved in the fight against general crime [3, p. 170].

It should be noted that the interaction of law enforcement agencies with Interpol in the investigation of international crimes, is more often used for: 1) exchanging information; 2) identification and verification of persons on the records of police of foreign countries; 3) conducting an international search through Interpol channels, extradition; 4) interaction of law enforcement agencies of Ukraine with law enforcement agencies of foreign countries through Interpol channels in the implementation of procedural, investigative actions and operational and investigative measures [2, p. 566].

Interpol is a unique international organization, which takes a direct practical part in preventing and suppressing "international crime."

The main tasks and aims of Interpol at the present stage are: - to ensure the widest cooperation between the relevant criminal police authorities in the current national legislation of Interpol member countries and in strict accordance with the provisions of the Universal Declaration of Human Rights; - establishment and development of all necessary bodies that will be effective in the fight against crime [3, p. 171].

The growing transnational connections of criminal groups in different countries require more fruitful international collaboration of law enforcement agencies all over the world. The activity of the UkrBureau of Interpol is important for the Ministry of Internal Affairs of Ukraine not only for efficiency of the current moment, but also for development prospects. The quality of the Bureau's work is one of the most important factors in the international prestige of Ukraine's internal affairs bodies

Despite the relatively short period of its activity, the National Central Bureau of Interpol of Ukraine has proved to be one of effective structure of the Ministry of Internal Affairs of Ukraine, which is constantly increasing its efforts. Intensive exchange of operational information in the Interpol is accompanied by optimization of this process by the Ukrainian side [4, p. 88].

To sum up, I would like to say that today there are many institutions and mechanisms in the world, which aim is combating crime, but there are still ineffective means and ways to prevent and detect crime. An effective

approach to combating crime requires an integrated approach that can only be achieved through the collective efforts of the international community through close cooperation between state institutions. That is why Interpol's activities in the fight against crime play a significant role in achieving common goals in the fight against crime. Undoubtedly, in the modern conditions it is important for Ukraine to actively participate in international law enforcement relations in order to move closer to international and European standards of public life, which requires the improvement of all existing means of preventing and detecting crime.

#### **Список використаних джерел**

1. Історичні аспекти створення і становлення Інтерполу як міжнародної організації / В. В. Величко. *Форум права*. 2012. № 3. С. 101–106.
2. Завдання Інтерполу у боротьбі зі злочинами міжнародного характеру / Ю. М. Чорноус. *Науковий вісник Дніпропетровського державного університету внутрішніх справ*. 2018. № 1. С. 566–574.
3. Інтерпол як міжнародна організація боротьби зі злочинністю: сучасні напрямки розвитку / Т. Г. Лялевич. *Міжнародні читання присвячені пам'яті професора Імператорського Новоросійського університету П. Є. Казанського*: матеріали Міжнародної конференції (м. Одеса, 22-23 жовтня 2010 року). Одеса : Фенікс, 2010. С. 170–172.
4. Українське бюро Інтерполу як інституція протидії транснаціональній злочинності: правовий аспект / І. М. Чуб. *Вісник Харківського національного університету імені В. Н. Каразіна*. Серія : Міжнародні відносини. Економіка. Країнознавство. Туризм. 2016. Вип. 5. С. 85–88.

**Мартинюк Д.**, здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
**Керівник з мови: Могилевська В.**

#### **TECHNOLOGIES THAT TRANSFORM LAW ENFORCEMENT**

The modern world changes every minute and everything in it must keep pace with the times. Law enforcement agencies have not been spared too. Every one of us connects police work to constant tension routine traffic stops and piles of desk work. But today, that's all changed. Law enforcement technology is making its mark on police departments around the country as new-and-improved gadgets are becoming available to help officers prevent crime.

Here are few technical innovations that are already being implemented:

1. Robotic cameras – police officers can't be everywhere at once at a crime scene, and some situations are too dangerous to risk sending officers. That's why robots have been specially designed to deploy into places officers can't reach safely. Officers can throw them into hard-to-reach areas or places without a clear line of sight and operate it wirelessly from safety. Officers are making use of this robotic technology to detect bombs or search suspicious homes and vehicles. With an electric motor and special wheels that allow it to move, climb and explore, this robotic camera is helping to keep officers out of harm's way.

2. Handheld lasers – the chemical composition of an unknown substance within seconds. If an officer comes across a suspicious substance, these devices will reveal the chemical makeup almost immediately. These lasers are also keeping officers safe from harmful substances they may not have recognized otherwise.

3. Tablets-iPads and other tablets. Officers can now file accident and incident reports wirelessly, look up photos of suspects and access other information in a state crime database—all from their car or a crime scene. With less time spent at their desks, officers have more availability to actively patrol the streets and prevent crime.

4. Artificial Intelligence-is also being used for “predictive policing”. Utilizing so-called “deep learning” algorithms, programmers can train computers to analyze data from a vast array of sources and categories to actually predict when and where crimes are likely to occur, increasing the likelihood that officers will be in the right place at the right time.

5. Gunshot detection systems – is a system that shows police officers where a gunshot has just been fired. This new and still-improving technology uses sensitive audio sensors placed around a neighborhood to detect gunshots and show officers the exact location. This law enforcement technology helps officers respond faster to gunshot incidents, which gives them a leg-up on assisting victims and tracking down suspects. GDS technology has the potential to make communities much safer, especially in areas where there aren't enough officers to be on patrol 24/7.

The world of law enforcement is changing rapidly, thanks in no small part to technology. It follows that the faster the world develops, the more technology will be introduced into law enforcement and other areas.

#### **Список використаних джерел**

1. <https://onlinedegrees.sandiego.edu/10-innovative-police-technologies/>.

2. <https://www.columbiasouthern.edu/blog/february-2020/technological-advances-in-law-enforcement>.

3. <https://www.rasmussen.edu/degrees/justice-studies/blog/law-enforcement-technology/>.



## **ARREST PROCEDURES IN CANADA**

There are many factors that influence police-reported crime statistics. First, an incident must come to the attention of police. The decision by an individual to report a criminal incident to police has a considerable impact on the number of crimes ultimately recorded by police. The latest cycle of the General Social Survey on Canadians' Safety (Victimization), which provides information on the crime reporting behaviour of Canadians aged 15 and older for selected offences, indicated that about one-third (31%) of crimes are reported to police.

Second, differences between individual police services—such as available resources or departmental priorities, policies and procedures—can also have an effect on police-reported crime. For instance, as a crime prevention measure, some police services have implemented initiatives to focus attention on prolific or repeat offenders within the community. Moreover, certain crimes such as impaired driving and drug offences can be significantly affected by enforcement practices, with some police services devoting more resources to these specific types of crime. Some police services may also rely on municipal bylaws or provincial statutes to respond to minor offences such as mischief and disturbing the peace.

Third, and more broadly, social and economic factors can influence the volume of police-reported crime at a national, regional, municipal or neighbourhood level. In particular, crime rates can be affected by changes in age demographics, economic conditions, neighbourhood characteristics, the emergence of new technologies; and Canadians' attitudes toward crime and risky behaviour.

In 2019, there were significant changes for certain offences that highlight how police-reported crime is evolving in Canada. Specifically, these include the continued increase in the rate of police-reported sexual assault, as well as increases in the rates of child pornography, violent offences specific to firearms and non-violent weapons violations, harassing or threatening behaviours, fraud and shoplifting of \$5,000 or under; and legislative and reporting changes regarding cannabis and other drug offences.

Arrest means to take or hold a criminal suspect with legal authority. A formal arrest consists of actually touching a person's body with a view to his detention. The mere pronouncing of the words "you're under arrest" is not enough to constitute an arrest, unless the person being arrested submits to the process. Purpose of arrest: to lay a charge; to secure / preserve evidence; to prevent crime, arrest may not be necessary, an officer may just deliver a summons or an appearance notice.

Arrest Procedures in Canada:

- arrest with a warrant

- arrest without a warrant

In Canada, there are different types of warrants that can be issued by the court for your arrest including an arrest warrant, a bench warrant, a bench warrant to hold, and a telewarrant.

An arrest warrant is a document that is endorsed by the court which identifies the name of an accused, the offence that the accused is alleged to have committed, and which authorizes the police to arrest the accused and bring him or her before the court.

Before a warrant for your arrest can be issued, an Information (a document that officially charges you with a crime) must be sworn by a peace officer and presented to a justice or judge. It is on the basis of the Information that a warrant for your arrest can be issued. A warrant for your arrest will be issued when a justice of the peace or a judge has reasonable and probable grounds to believe that you have committed a crime and that it is in the best interests of the public for you to be arrested and brought into custody.

A justice or judge will be justified in issuing a warrant when he or she has reasonable grounds to believe that you have committed a crime and there are also grounds to believe that :

- You will not come to court without the warrant;
- You need to be arrested in order to secure evidence related to the offence;
- Your arrest is necessary to prevent the continuation or repeat of an offence;
- Your arrest is necessary to prevent you from committing a new offence; or,
- You need to be brought in by the authorities to establish your identity.

Once a warrant for your arrest has been issued, the police within the jurisdiction of the court that issued the warrant will be allowed to seek you out and bring you into custody if they find you.

### **Bench Warrants:**

Another type of arrest warrant is a bench warrant. A bench warrant is an arrest warrant that is issued by a justice or judge when you fail to appear in court for your criminal matter. This type of warrant will often be issued when you have failed to appear in court as directed by a summons, a promise to appear, an undertaking or recognizance. Like an arrest warrant, a bench warrant authorizes the police within your jurisdiction to arrest you and to hold you in custody until you can be brought before the court.

If you have failed to appear for your court date, in some cases the court may be gracious enough not to immediately command your arrest and instead will issue a bench warrant to hold for your arrest. When a warrant to hold is issued it means that if you show up for your next court appearance, the warrant for your arrest is vacated and you will not be taken into custody.

**Telewarrant:**

While a peace officer will typically have to appear before a justice of the peace or judge to obtain a warrant for your arrest, in some circumstances it is possible for the police to obtain a warrant over the phone.

This type of warrant is called a *telewarrant*. A telewarrant can be granted when a police officer communicates with a justice or judge by some means of telecommunication, and informs them that there are reasonable grounds to believe that you have committed an indictable offence. However, in order for the police to obtain a telewarrant, they will also need to show that it would be impractical for them to personally appear before the justice to obtain the warrant. For example, it will be impractical for a police officer to obtain a warrant in person when there is no justice of the peace or judge available in their town at the time that the warrant is required, but waiting or travelling in order to obtain the warrant will cause them to lose the accused or evidence of the offence.

Peace officers are granted authority to perform warrantless arrests where it is authorized by law. The primary source of authority is found in section 495 of the Criminal Code. 495 (1) A peace officer may arrest without warrant:

- a person who has committed an indictable offence or who, on reasonable grounds, he believes has committed or is about to commit an indictable offence;
- a person whom he finds committing a criminal offence; or
- a person in respect of whom he has reasonable grounds to believe that a warrant of arrest or committal, in any form set out in Part XXVIII [Pt. XXVIII – Miscellaneous (s. 841 to 849)] in relation thereto, is in force within the territorial jurisdiction in which the person is found.

**Consequences of arrest without warrant**

Notwithstanding subsection, a peace officer acting under subsection is deemed to be acting lawfully and in the execution of his duty for the purposes of any proceedings under this or any other Act of Parliament; and any other proceedings, unless in any such proceedings it is alleged and established by the person making the allegation that the peace officer did not comply with the requirements of subsection.

**Список використаних джерел**

1. Greg Moreau Police-reported crime statistics in Canada. URL: <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00010-eng.htm#warrant?>

2. What is an arrest warrant? URL: <https://www.oykhmancriminaldefence.com/faq/what-is-arrest-warrant.>

3. Warrantless Arrests. URL: [http://criminalnotebook.ca/index.php/Warrantless\\_Arrests.](http://criminalnotebook.ca/index.php/Warrantless_Arrests.)

4. What should I do if there's a warrant for my arrest? URL: <https://stepstojustice.ca/steps/criminal-law/2-talk-lawyer-1.>

**Мельничук Н.**, здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
**Керівник з мови: Могилевська В.**

## **FIGHT AGAINST AND PREVENTION OF CRIME IN ISRAEL**

Crime prevention covers three areas of public relations: general organization is a set of organizational (accounting, registration), management (forecasting, planning, coordination, definition of strategy and tactics), preventive (implementation of programs and plans, implementation of preventive measures), control (study of practice) , establishing trends in crime) and other actions of various bodies and institutions that work together to achieve common results in combating crime; law enforcement activity – a system of measures for the implementation of law enforcement and / or law enforcement functions by state bodies, public organizations or citizens; crime prevention is the implementation by special subjects of measures provided by law to prevent the development of criminal intent in the previous stages of the crime, to identify signs of crimes, identify those who committed them, bring these people to justice, restore violated rights, freedoms and legitimate interests of citizens and compensation for damages from criminal acts [1].

Despite the unfavorable geographical, political, religious and other conditions of Israel's development, the crime rate is relatively low.

A significant reduction in crime in Israel, according to the leadership of the Ministry of Internal Affairs of this country, contributes to the broad public involvement in this process. In general, crime prevention in Israel is carried out in accordance with the strategy of the public police adopted a few years ago. It consists of a close public-private partnership between the police and the public, the improvement of services provided by the police to the population, the implementation of law enforcement funding with the expansion of charitable and patronage assistance. For the practical implementation of this strategy, Israeli law enforcement agencies have decided to involve all institutions of Israeli society, including the business community, in the fight against crime. Increasingly, local governments are involved in crime prevention in Israel, which together with the police in some settlements create so-called rapid response patrols [2].

An analysis of the information posted on the official web portals of the Ministry of Internal Affairs and the Ministry of Public Security of Israel suggests that the main forms of public influence on crime in this country at the present stage are public patrols and crime prevention programs [2; 3].

Israeli public patrols are called Mishmar Ezrahi's wife. It was established in 1974 in connection with a series of terrorist attacks. The state is currently trying to increase security in Israeli society through public vigilance. At present, the public association has more than 70,000 members who assist the Israeli police in many areas of its activities. The work of Mishmar Ezrahi is provided by two groups of its divisions. The first group consists of units of the security wife's volunteers.

Members of such groups perform their duties up to 4 hours a month free of charge. As a rule, people's militiamen perform their duties in Israel without a police uniform. However, they are distinguished from other citizens by special signs in the form of vests, badges, documents of the volunteer of the people's wife. In general, there are two types of units under consideration: security units and support units.

Voluntary security units are created and operate mainly at the place of residence of their members. The form of activity of such formations is patrolling and creation of checkpoints in order to prevent terrorist activities, prevent crimes and detain offenders. Patrolling can be on foot or using both own vehicles and police cars [2].

Auxiliary volunteer units in Israel are engaged in:

- Explanatory activities through lectures, dissemination of reference materials to increase the criminological awareness of Israelis about crime and measures to prevent it. The main places of dissemination of information of preventive content are community centers, district councils, pensioners' clubs, secondary schools, higher education institutions, etc.;

- assistance to the elderly in the form of: accompanying them to banking or insurance institutions in order to minimize the commission of the latest mercenary and mercenary violent crimes; physical assistance during visits to health care facilities, trade facilities;

- patrolling in public places even without weapons and special means to increase security in the most criminogenic security districts;

- areas of cities and places of high concentration of elderly people;

- implementation of measures to mark the property of citizens, including electronically, in order to promptly detect it by the police and return it to its rightful owner after the abduction;

- assistance to victims of violent and mercenary crimes by providing psychological, legal, informational and other advice, but with the obligatory consent of the police.

The second smaller group of Mishmar Ezrahi, numbering 20,000, is a volunteer involved in many other areas of law enforcement. As a rule, such persons provide free assistance to the Israeli police, which lasts 8 hours in a row, ie full time, or a total of 12 hours. work per month.

This group "Mishmar Ezrahi" consists of a number of units involved in various activities:

- 1) watchmen of the People's Squad – provide assistance to police during the registration of information and other information from citizens about offenses and crimes, which are transmitted by the latter to the number "100" (analog of the emergency number "102" in Ukraine);

- 2) assistants of sappers of the People's Squad – escort police sappers, assist them in the protection of crime scenes, where operational and investigative measures are carried out, as well as during the disposal of explosive devices;

- 3) the People's Marine Police – provides assistance to the Maritime Police during patrols, inspections, searches and rescues of people on

beaches and berths in the Mediterranean Sea, Lakes Kinneret and Eilat. Such volunteers should have the right to operate the boat. In addition, these individuals receive additional training in the management of other vessels;

4) transport people's wife – its members monitor the compliance of road users with the requirements of its rules, compliance with safety rules, movement of goods. These militiamen are trained in first aid measures for people who need it in case of an accident. Volunteers have the right to initiate the prosecution of perpetrators (drivers and pedestrians) for violating traffic rules, as well as to explain to the latter the requirements of the law and measures of safe behavior while driving;

5) the wife of the border sector – patrols mostly on their own SUVs along the state border of Israel in order to minimize its illegal crossing, prevent terrorist attacks, reduce theft of agricultural products, etc. ;

6) rescue wives – called to identify, rescue, provide medical care and evacuate travelers, tourists and other persons who got lost, got into various dangerous situations or suffered as a result of accidents or natural disasters, etc.;

7) diving units of volunteers – consist of persons with a sufficient level (not less than 50 underwater dives) of diver training, who are involved by the police in the search for missing persons and various items in reservoirs that can be used by the court as evidence

8) observation units of volunteers – assist in providing the police and other law enforcement agencies with peripheral security during holidays and other mass events [2].

The implementation of crime prevention programs is also one of the types of crime prevention in Israel. Crime prevention through a modern example of a consistent innovative model of violence prevention at the national level in this country is the program "City without violence" using the program method is the Ministry of Public Security of this country. The use of both purely law enforcement and social, economic, psychological, technical, informational and other measures has reduced the level of violent crimes in the areas of application of the program "City without Violence" from 20% to 40% [4].

Another prevention project is the Metzila program, which coordinates the work of 128 parent patrols set up under 110 city administrations.

The main tasks of the department "Metzila" are:

1) crime prevention, especially in high-risk groups among adolescents and young people;

2) restoration in various ways of parental authority in front of their minor children;

3) integration of new repatriates into Israeli society in cooperation with local community leaders;

4) strengthening social ties in groups of the non-Jewish population of Israel and crime prevention in these social groups;

5) application of crime prevention programs with the involvement of their participants in sports;

6) strengthening public awareness in matters of crime prevention;

7) assistance in organizing the work of parent patrols and coordination of their activities, etc. [5].

Criminological analysis of crime prevention shows that the low crime rate in this country is achieved through a skillful combination of several basic prevention strategies. The main among them is the strategy of community policing, which involves the use of free and voluntary assistance to citizens in carrying out preventive measures and correcting criminals [6].

#### **Список використаних джерел**

1. Global Study on Homicide – 2013: Trends, Contexts, Data / United Nations Office on Drugs and Crime (UNODC). Vienna, 2014. 163 p.

2. Israel Police. URL: <http://www.police.gov.il>.

3. Ministry of Public Security. URL: <http://mops.gov.il>.

4. City Without Violence. URL: <http://mops.gov.il/Russian/CrimeAndViolencePreventionRU/NonViolentCity/Pages/default.aspx>.

5. Metzila – Community & Crime Prevention. URL: <http://mops.gov.il/English/CrimePreventionENG/CCP/Pages/Metzila.aspx>. – Заголовок з екрана.

6. Safe Summer. URL: <http://mops.gov.il/Russian/CrimeAndViolencePreventionRU/summeractivities/Pages/default.aspx>.

**Микитюк І.**, курсант Національної академії внутрішніх справ  
**Консультант з мови: Богуцький В.**

### **COMBATING DOMESTIC VIOLENCE IN BANGLADESH**

In 2011, an incident involving Professor Rumana Manzur of Dhaka University brought the topic of domestic violence in Bangladesh into main stream discussions. Professor Manzur's husband of ten years, Hasan Syeed Sumon, had tried to gauge out both of her eyes by using his fingers, bit her nose and left her severely injured while they fought in her father's residence in Dhaka. This incident shocked the whole country as well as diasporas abroad and forced the society to address the legal and societal loopholes to effectively combat this issue. Bangladesh has displayed an understanding of and respect for women's rights in Bangladeshi society. Since the 1980s, the country has enacted special laws protecting women against violence. It has been led by female heads of state since 1991, over 25 years, and has made significant progress in terms of gender development [2]. Despite this understanding, most of the comments in news outlets raised questions about

Professor Manzur's infidelity within her marriage as if to investigate 'whether she deserved it'. This incident broke at least two conventional attitudes towards domestic violence: society became aware of the fact that it can happen to the most privileged and the highest educated women and learned that popular sentiments have not caught up with the law over many issues. For Bangladesh, the problem of domestic violence thus needs a two-pronged response: legal enforcement and a community wide awareness campaign. This article analyzes the Domestic Violence Prevention and Protection Act of 2010 and recommends a holistic approach in eradicating domestic violence in Bangladesh. This article will first review domestic violence legislation under international law. Next, this article will review domestic violence legislation in Bangladesh, focusing on the Domestic Violence Prevention and Protection Act of 2010. Finally, this article will offer recommendations on combating the issue of domestic violence and furthering women's rights in Bangladesh.

Only a naive observer of world events would think domestic violence exists in any particular kind of society. It is a problem pervasive in all different types of societies around the world. For example, in U.S. occupied Iraq, a country at war, reports indicated that incidents of domestic violence against women rose [1]. In Japan, a country at peace, the majority of women, 59%, reported being abused. In the U.S., allegedly the most developed country in the world, domestic violence service providers served more than 71,818 victims in a single day in 2015. Bangladesh, a developing country, is similarly no stranger in this area. In a survey on domestic violence against women, administered by the Bangladesh Bureau of Statistics, as many as 87% of currently married women reported ever experiencing violence of any type by their current husband and 77% reported facing violence of any type during the past twelve months from the survey time. Further, 65% of married women reported experiencing physical violence by their current husbands during their lifetime. The survey found that 36.5% of women reported sexual violence by their husbands and indicated that women between the ages of 20-34 were more vulnerable to sexual abuse than any other age groups. An astounding 80% of women reported psychological abuse within the marriage, whereas only 50% reported economic abuse. One-third of all participants reported abuse by in-laws and close relatives within the marriage. Although this government survey is not perfect, it arguably identifies the problem better than any other data. An independent human rights organization tallied the number of women murdered by their husbands at 191 in 2016. The legal response, discussed below, and the culture of tolerance that still exists make this problem a particularly challenging one for Bangladesh. In 2010, the Government enacted a new domestic violence law to add to the existing criminal law and special laws for the protection of women and children, which strengthened the legal structure against this cruel reality. Bangladesh has made progress in areas of women's participation in its society that would be unthinkable in many other Muslim majority countries. Yet, as



evident from the official statistics and daily logs of violence in the media outlets, combating domestic violence seems to be a far cry in the Bangladeshi society.

Law commanding a change of behavior rarely succeeds without community acceptance. Even after criminalizing underage marriages, Bangladesh still has one of the highest rates of early marriages in the world. The punishment for acid related violence could rise to the death penalty, yet this crime is still far from being reduced. Seeking and transferring dowry has been criminalized since the 1980s, yet this remains a common practice. These outstanding issues demonstrate the gap between the law and order. This divide can only be minimized by effective community participation. The leadership of women's organizations in fostering the enactment of the Domestic Violence (Prevention and Protection) Act should be refocused on community awareness campaigns. A change in attitude must come from within, not merely by enforcing new regulations.

#### **Список використаних джерел**

1. UN Inter-Agency Information and Analysis Unit [Electronic resources] Available at: <http://www.refworld.org/pdfid/4cf4a67d2.pdf>. (last visited Oct. 12, 2020).

2. World Economic Forum, The Global Gender Gap Report [Electronic resources] Available at: <http://reports.weforum.org/global-gender-gap-2011/>. (last visited Oct. 12, 2020).

***Миколаєнко А.***, курсант Національної академії внутрішніх справ  
**Консультант з мови: *Скриник Л.***

#### **ABOUT THE PROBLEM OF HUMAN TRAFFICKING**

Recently, the problem of human trafficking has become increasingly important. These crimes are one of the most brutal forms of violation of fundamental human rights and freedoms. Regardless of the type of exploitation purpose, trafficking has severe and sometimes fatal consequences for victims. The crime of human trafficking is constantly evolving following the desire of criminals to obtain the highest profits from the exploitation of victims and to resist the efforts of law enforcement agencies to combat their criminal activities.

In the conditions of modernization of the system of executive power of Ukraine, the unconditional imperative is to take into account the positive foreign experience in combating human trafficking. Of particular interest are the peculiarities of practical experience of law enforcement agencies in the former Soviet republics, which have undergone significant changes since the declaration of independence, as a result of which they have moved closer to the European police system. Today, European countries such as Latvia, Lithuania and Estonia present the most optimal means and ways to combat human trafficking. Therefore, in our opinion, the study of

combating trafficking in human beings in Baltic States is useful because it allows you to borrow positive foreign experience that has paid off in practice, as well as to take into account certain negative factors that should be avoided.

In 2002 the Latvian Seim adopted amendments to the Criminal Code. It was supplemented by Articles 154.1. and 154.2., which defined the concept of trafficking in human beings and determined the responsibility for these actions. Never before Latvian legislation has faced this problem and the need to define responsibility for appropriate action. The Criminal Code provides the liability and sanctions against trafficking in human beings, and provides much more severe liability if trafficking is committed against minors or group of persons with prior conspiracy, but the most severe liability is provided if crimes caused serious consequences or were committed by organized groups of criminal persons. Art. 152 and 153 of the Criminal Code provide criminal liability for unlawful deprivation of liberty and kidnapping. Art. 153 of the Criminal Code regulates the abduction of a person, which can be manifested both by active actions (using violence and threats) and by deception. The next norm of the Criminal Code, which partially coincides with human trafficking are Articles 165.1, 165.2 and 165, which regulate pimping. The Criminal Code of the Republic of Latvia in Chapter XV – Criminal Acts against the Will, Honor and Dignity of a Person contains Article 153 “Kidnapping”, which provides for criminal liability for “Seizure of a person using violence, threats or deception (kidnapping) for revenge, for the benefit or for the purpose of blackmail”, is punishable by imprisonment for up to 10 years with or without confiscation of property. If the crime is repeated, the responsibility is increased up to 12 years imprisonment, and if the crime has serious consequences – up to 15 years imprisonment. Lithuania was the first Baltic state to pass laws in July 1998 criminalizing trafficking. The criminal faces from four to eight years of imprisonment. The Estonian Criminal Code contains Article 124.3. Unlawful deprivation of liberty Unlawful deprivation of liberty - is punishable by a fine, or an arrest, or an imprisonment for up to one year. The same act, combined with the use of violence that is dangerous to life or health, - should be punishable by a fine or imprisonment for a term up to five years. It should be noted that the analyzed positive experience in combating trafficking in human beings in Baltic States deserves the attention of domestic scholars and legal practitioners, and some of its elements can be borrowed for implementation in national legislation and legal practice. We emphasize that in the language of the difficult situation and the anti-terrorist operation in Ukraine, we consider it extremely important and necessary to reconsider the means and ways to combat human trafficking, taking into account the experience of EU member states.

#### **Список використаних джерел**

1. Україна як країна призначення для торгівлі людьми [Електронний ресурс] / М. О. Васильєва, В. В. Касько, А. М. Орлеан, О. В. Пустова // Матеріали для практичного використання

працівниками прикордонної служби, правоохоронних органів та суддями. – К.:Фенікс, 2012. – 120 с. URL: [https://www.iom.org.ua/sites/default/files/krayina\\_pryzn4\\_layout\\_1.pdf](https://www.iom.org.ua/sites/default/files/krayina_pryzn4_layout_1.pdf).

2. Момоток Т. П. Система протидії торгівлі людьми у правозастосовчій практиці СНД / Т. П. Момоток. *Протидія торгівлі людьми на сучасному етапі розвитку цивілізації*. Черкаси: ЧОІПОПП, 2010. 60 с. URL: <http://library.ippro.com.ua/attachments/article/249/%3%D1%96%D0%B2%D0%BB%D1%96%20%D0%BB%D1%8E%D0%B4%D1%8C%D0%BC%D0%B8d.pdf>.

**Миронюк Р.**, здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
**Керівник з мови: Могилевська В.**

## **CRIME AND VIOLENCE PREVENTION IN BRAZIL**

Brazil is one of the countries that has the largest inequality in terms of the gap between the very wealthy and the extremely destitute. A huge portion of the population lives in poverty. According to the World Bank, "one-fifth of Brazil's 173 million people account for only a 2.2 percent share of the national income. Brazil is second only to South Africa in a world ranking of income inequality [1].

Crime here tends to organized, violent and armed forms, it is manifested primarily in its nature, it is about the main types of crimes: murder, robbery, robbery, rape, theft, piracy, car theft, kidnapping with ransom and more. The most criminogenic cities are Rio de Janeiro, Sao Paulo, El Salvador, Recife and Brasilia.

If we analyze the level of murders, during 2006–2012 it increased by 11% in Brazil. In absolute terms, we have the following picture: 44,625 murders were recorded in 2006, and 50,108 in 2012. The Brazilian city of São Paulo belongs to the list of the most criminogenic megacities in Latin America.

A certain reduction in crime during 2000–2012 in Brazil was achieved through a combination of various anti-criminogenic drugs of general social and special criminological nature. Socio-economic prevention areas include the fight against unemployment, especially among young people, which accounts for a significant share in the structure of Brazilian society; production development; economic support for socially vulnerable groups. The main direction of crime prevention is the police to respond to crimes already committed and apprehend criminals.

The use of new approaches in crime prevention in Brazil has become possible with the adoption of the National Program on Public Safety and Citizenship (PRONASCI). It was introduced in 2007. This program involves various measures taken by the Ministry of Justice and other central Brazilian authorities to reform the criminal justice system and fund local targeted prevention programs.

The intensification of crime prevention activities in Brazil was facilitated by the holding of the 2014 FIFA World Cup, as well as preparations for the organization of the 2016 Summer Olympics in Rio de Janeiro. As a result, in large cities where football matches were held, the authorities, with the help of local communities, were forced to make drastic decisions to reduce crime and address social issues. In one of the largest Brazilian cities of Sao Paulo with a population of about 20 million, which hosted the matches of the World Cup-2014, a set of measures to prevent crime was introduced:

1. studied the state of crime by developing an information system "Infocrime";
2. preventive activities between mayors and police of these cities are coordinated;
3. additional local police units have been formed;
4. legislation has been passed to close most bars in criminogenic areas.

Recently, the development and implementation of special prevention programs aimed at preventing certain types of crime have become widespread in various cities in Brazil. Often such programs are developed with the active support of scientific, educational, international and national research institutions. Let's analyze the most effective prevention programs that have been implemented and continue to be implemented in Brazil. To do this, we use the materials contained in a special publication entitled "Public-private partnership and public safety: a guide to action". This publication was prepared with the support of a number of international and national organizations involved in the fight against crime, such as: the International Center for Crime Prevention (Montreal, Canada), the World Bank, the Security Department of the Chamber of Commerce and Industry of Bogota. Bogota, Colombia), Institut Su da Paz (São Paulo, Brazil). The selection of specific prevention projects currently being implemented in Brazil indicates their effectiveness and the possibility of dissemination as a progressive experience in the field of crime prevention. The main thing is that one of the main subjects of these programs are non-governmental entities - local communities, public law enforcement organizations, volunteers, volunteers. [2]

An example of the implementation of progressive international experience in crime prevention in Brazil is the prevention program "*Fica Vivo*" ("*Stay Alive*"). It is considered an analogue of the projects "*Operation Ceasefire*" ("*Ceasefire*") and "*Drug-market Intervention*" ("*Intervention in drug markets*"), proposed by modern American criminologist D. Kennedy. These programs are successfully implemented not only in many US states, but also in different countries.

"*Praças da Paz SulAmérica*" ("*Peace Parks*") is a crime prevention program implemented within the so-called theory of broken windows (the theory of economic design). The Peace Parks project started in 2007 in Sao Paulo.

Crime prevention in accordance with the provisions of this theory is quite common in the United States and some European countries. Its essence is to recognize the undeveloped areas, the presence of destroyed buildings as a significant criminogenic factor. To eliminate this, the efforts of the local community are united by the joint arrangement by citizens of recreation areas (parks, squares), restoration of destroyed buildings, ie potential places of various crimes.

Another project called "*Policia Premio Cidadã*" ("*Civil Police Award*") is being implemented in the state of Sao Paulo. As the name suggests, the essence of this event is to materially reward police officers (bonuses) for high achievements in their activities. The financial sources of the award are formed at the expense of charitable contributions of individuals, patrons, entrepreneurs, as well as from the sources of the research institute Su da Paz. The Committee of Experts evaluates the activities of the nominees and may award material rewards to police officers from the State of São Paulo, including volunteers involved in law enforcement. Winners can receive not only a cash prize, but also incentive prizes or grants in the form of funding for a particular area of policing. Such an area could be the deepening of public-private cooperation in the field of crime prevention in relation to the interaction of police and local communities in joint patrolling of public places or other activities. [3]

A prevention program called "*Papo de Resposta*" is being implemented in Rio de Janeiro to build friendly relations between the police and the local population. To do this, police officers hold public meetings in certain areas of the city, preventive talks with citizens about the inadmissibility of violating the law, the types and extent of responsibility for committing various types of crimes, also explains the specifics of police work, outlines the problems faced by police during their work, criminogenic factors that contribute to the spread of crime in a particular area of residence are analyzed. Residents, in turn, can receive legal assistance, legal advice from the police, and, if desired, report crimes committed by local community members or their links to organized crime, drug trafficking channels, drug shelter locations, and more. The program is funded by a local private cosmetic company located in the area of implementation of this project.

The «Regresso» program aims to prevent recidivism. It is implemented in the Brazilian state of Minas Gerais in order to prevent the commission of repeated intentional crimes by persons released from probation. For this purpose, conditions are created for their employment at local enterprises, if necessary, support is provided in vocational and technical training, passing the relevant training courses. The direct subjects that ensure the re-socialization of former convicts are private companies and enterprises that employ these categories of persons.

### Список використаних джерел

1. Crime and violence in Latin America URL: [https://en.wikipedia.org/wiki/Crime\\_and\\_violence\\_in\\_Latin\\_America](https://en.wikipedia.org/wiki/Crime_and_violence_in_Latin_America)
2. Global Study on Homicide – 2013: Trends, Contexts, Data / United Nations Office on Drugs and Crime (UNODC). – Vienna, 2014. – 163 p.
3. Working paper «Making the United Nations guidelines on crime prevention work» / Twelfth United Nations Congress on Crime Prevention and Criminal Justice (Salvador, Brazil, 12-19 April 2010). – 20 p.

**Миронюк Т.**, здобувач ступеня вищої освіти  
магістра Національної академії внутрішніх справ  
**Консультант з мови: Скриник Л.**

### OBJECTS OF PREVENTION AND RESPONSE TO DOMESTIC VIOLENCE

Domestic violence is a multifaceted problem that requires an integrated approach and coordinated efforts of the state, society and citizens. In accordance with Art. 5 of the Law of Ukraine "On Prevention and Countering Domestic Violence" the main areas of implementation of state policy in the field of prevention and counteraction to domestic violence are:

- prevention of domestic violence and effective response to domestic violence by introducing a mechanism of interaction between the subjects involved in preventing and combating domestic violence;
- providing assistance and protection to victims, ensuring compensation for damage caused by domestic violence and proper investigation of domestic violence, bringing perpetrators to justice in accordance with the law and changing their behavior.

According to Art. 6 of the Law of Ukraine, the legislator may determine the subjects of administrative and legal response to domestic violence as follows:

- the central executive body responsible for formulating state policy in the field of preventing and combating domestic violence;
- other bodies and institutions responsible for the implementation of measures to prevent and combat domestic violence (children of services; authorized units of the National Police of Ukraine; educational authorities, educational institutions, institutions and organizations of the education system; health authorities, health care; free secondary legal aid centers; courts; the prosecutor's office; authorized probation authorities;
- general and specialized victim assistance services.

Specifically, general victim support services include institutions that provide assistance to victims:

- centers of social services for families, children and youth;
- asylums for children;

- centers for social and psychological rehabilitation of children;
- social rehabilitation centers (children's camps);
- centers of social psychological assistance;
- territorial centers for social services (provision of social services)

and other institutions, agencies and organizations providing social services to victims.

Coordination of the activities of these entities is carried out in accordance with the requirements of the Procedure for Interaction of Entities Carrying Out Measures in the Sphere of Prevention and Counteraction of Domestic Violence and Gender-Violence, approved by the Cabinet of Ministers of Ukraine in August 22, 2018, No. 658.

A positive point is the inclusion of the court, prosecutor's office and probation bodies in the system.

However separate articles of the Law of Ukraine (Articles 7-14) examine the powers of each of the six entities defined in Article 6 to take measures to prevent and combat domestic violence, except for the courts, the prosecutor's office and the competent probation authorities, indicating a certain formality in determining the participation of such subjects in preventing and combating domestic violence.

It should also be noted that the list of subjects does not include services of public coercion directly involved in the execution of court decisions, including compliance of restrictive orders.

In our opinion, it is advisable to include bodies of justice with the centers of the departments of secondary legal aid and the state executive service.

The Act also includes entities that play an extremely important role in preventing and combating domestic violence as education and health authorities. The procedure for conducting and documenting the results of medical examinations of victims of domestic violence, and providing them with medical care, is set out in the Order of the Ministry of Health of Ukraine No. 278 of February 1, 2019.

In our opinion attention we should pay attention to the creation of a call center for Combating Trafficking in Human Beings, Prevention and Combating Domestic Violence, Gender-Based Violence and Violence Against Children, the activities of which are regulated by the Regulation on Public Institutions, Call Center of the Ministry of Social Policy of Ukraine for Combating Trafficking in Human Beings, Prevention and Counteraction to domestic violence, Gender Violence and Violence against Children, approved by the order of the Ministry of Social Policy of Ukraine dated December 11, 2018, No. 1852.

Thus, the Law of Ukraine "On Prevention and Counteraction to Domestic Violence" establishes a broad system of entities that take measures to prevent and combat domestic violence. However, it does have some regulatory gaps that need some improvement to ensure the proper and comprehensive functioning of the mechanism of interaction between actors to ensure effective realization of victims' rights.

### **Список використаних джерел**

1. On the Prevention and Countering of Domestic Violence [Electronic resource]: Law of Ukraine of 07.12.2017 No. 2229-VIII. – Mode of access: <https://law.rada.gov.ua/laws/show/2229-19>. – Title from the screen.

2. On approval of the Procedure for conducting and documenting the results of medical examination of victims of domestic violence, and providing them with medical care [Electronic resource]: Order of the Ministry of Health of Ukraine dated 27.02.2019 No. 278. – Mode of access: <https://zakon.rada.gov.ua/laws/show/z0262-19>. – Title from the screen.

3. Promising and model crime prevention programs [Electronic resource]: National Crime Prevention Centre (NCPC) Public Safety Canada Ottawa, Ontario, Canada K1A 0P8, October 2008. – Mode of access: <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/prmsng-mdl-vlml/prmsng-mdl-vlml-eng.pdf>. – Title from the screen.

**Москальченко О.**, курсант Національної академії внутрішніх справ  
**Консультант з мови: Скриник Л.**

### **EUROPEAN EXPERIENCE IN PREVENTION CRIMES**

The report will cover a brief overview of crime prevention policy at the European level. Key pieces of legislation along with definitions and concepts are presented as well as the central role of cities and local authorities in crime prevention policies.

The European Urban Charter, proclaimed in 1992 and which brings together a series of principles on proper urban management, is a precursory document. Indeed, it constitutes a major effort in the elaboration of a body of action principles concerning crime prevention meant to transcend national policies by basing itself on the pertinence of this policy at the city level.

Concerning the European Union, the development of a crime prevention model came later. While the Stockholm Conference (1996) examined the link between crime prevention and social exclusion, it was the Amsterdam Treaty (1997) that marked an important step in the area of crime prevention at the European Union level. Indeed, in its Article 29 it mentions crime prevention amongst the policies of the European Union working towards an area of freedom, security and justice.

In 2001, the Council of the European Union set up a European Union Crime Prevention Network, grouping institutional representatives (from the ministries of Justice and/or the Interior), researchers as well as representative associations of each of the Union's member countries. The importance was focused on the identification of crime types, good practices



inventory, methodology development for further crime prevention project facilitation, monitoring and evaluation of national policies and the adjustment to statistical procedures in order to make them comparable on the international level.

In the Council Decision, all bodies and levels involved in the prevention of crime are discussed, and it is explicitly stated that local authorities are also involved as an important authority.

“Society as a whole must be involved in the development of a partnership between national, local and regional public authorities, non-governmental organizations, the private sector and citizens. The causes of crime are multiple and must therefore be dealt with by measures at different levels, by different groups in society, in partnership with the players involved who have different powers and experience, including civil society. The network shall contribute to developing the various aspects of crime prevention at Union level and shall support crime prevention activities at local and national level.”

In its 2004 Communication from the Commission to the Council and the European Parliament, the Commission proposes to use the definition of crime prevention presented in the Council Decision of May 2001 establishing the European Union Crime Prevention Network (EUCPN).

According to that definition, “...crime prevention shall cover all measures that are intended to reduce or otherwise contribute to reducing crime and citizens’ feeling of insecurity, both quantitatively and qualitatively, either through directly deterring criminal activities or through policies and interventions designed to reduce the potential for crime and the causes of crime. It includes work by government, competent authorities, criminal justice agencies, local authorities, specialist associations, the private and voluntary sectors, researchers and the public, supported by the media”.

In November 2004, the European Council adopted the Hague Programme, which set the objectives to be implemented in the area of freedom, security and justice in the period 2005-2010.

The Commission presented in May 2005 an action plan with a set of detailed measures and a calendar to implement the programme adopted in The Hague, which was approved and serves as a frame of reference for Commission and Council work over the next five years.

In conclusion, the authority of European Union made the list of 10 key areas for priority action.

**The Action Plan identifies 10 key areas for priority action:**

1. Fundamental Rights and citizenship.
2. The fight against terrorism.
3. Migration management.
4. Internal borders, external borders and visas.
5. A common asylum area.
6. Integration, the positive impact of migration on our society and economy.

7. Privacy and security in sharing information.
8. The fight against organised crime.
9. Civil and criminal justice.
10. Freedom, security and Justice: sharing responsibility and solidarity.

#### **Список використаних джерел**

1. Crime prevention [Electronic resource]: Migration and Home Affairs. – Mode of access: [https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/crime-prevention\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/crime-prevention_en). – Title from the screen.
2. Urban crime prevention policies in Europe: towards a common culture? [Electronic resource]: EU FORUM SAFETY & DEMOCRACY. – Mode of access: [http://efus.eu/files/fileadmin/efus/pdf/gb\\_pub\\_justy.pdf](http://efus.eu/files/fileadmin/efus/pdf/gb_pub_justy.pdf). – Title from the screen.

*Нагорна А., курсант Національної  
академії внутрішніх справ  
Консультант з мови: Хоменко О.*

### **FOREIGN EXPERIENCE IN COMBATING CRIME**

Combating crime is an important and difficult problem not only for the Ukrainian police, but also for the police in foreign countries. Even the highly developed countries and the G7 countries (such as Germany, France, Italy, Japan, Canada, the United Kingdom and the United States) are forced to allocate significant funds to improve the crime prevention system.

Currently, the Scandinavian model of public order and public safety is very common in the world. This model is being introduced to more and more European countries every year. Ukraine is no exception. As part of the Support to Police Reform in Ukraine project, led by the EU Advisory Mission to Ukraine, which conducts special dialogue trainings for the National Police of Ukraine, the Ukrainian police also cooperated with the Swedish Police. The Swedish police shared their experience with the newly formed Ukrainian police and demonstrated in practice the advantages of the Scandinavian model during a study trip of senior officers of the National Police of Ukraine to Sweden. Comments received after this trip indicate that participants understood the benefits of this model. But is such model suitable for all European countries?

Thus, **crime** is a socially dangerous act that covers the whole set of encroachments on public relations, which are protected by criminal law in a certain space and time. The following question follows from this definition. What is a socially dangerous act? A **socially dangerous act** is a legally significant act that is controlled by the human consciousness (volitional act) and which is prohibited by law [2]. Therefore, to call a person's actions unlawful, they must first be prohibited by applicable law. But each state has its own laws, and hence its own rules on the concept of crime. It is also

necessary to take into account not only the legislation of each state separately, but also the mentality of the people, culture, economy, customs, development, geographical location and so on. For greater clarity, consider the activities of the police in the Netherlands.

Located in North-West Europe with a long coastline on the North Sea, the Netherlands is a targeted source and transit country for crime groups smuggling illicit merchandise into or from European markets [1].

The country's main transnational crime challenges include drug trafficking (particularly synthetic drugs), cybercrime, and the threat of international terrorism [1].

Thus, the main problem of the Netherlands police is smuggling and illegal drugs.

In the 1990s, the country began implementing a new precautionary model that complemented the capabilities of law enforcement agencies. In the Netherlands, a law was passed in 2003 to encourage fair evaluation by the government. This law facilitates the verification of applicants' criminal records for licenses, subsidies, or tenders, thus protecting the government from inadvertently providing new opportunities to commit crimes. Article 3 of the above law contains additional grounds for revoking permits if the local government (mayor's office) has reasonable grounds to believe that there is a serious risk that: the permit will be used for the financial benefits of crimes already committed (money laundering), the permit will facilitate the commission of crimes, crimes will be committed to obtain the permit itself (bribes to officials). It should be noted that the revocation of the license does not require a mandatory conviction of the owner for a crime, just a reasonable suspicion of his criminal actions. In addition, the scope of the legality assurance system is limited by law to certain industries that are most vulnerable to the intrusion of organized crime. This is the hotel and restaurant business, the sex industry, industrial and residential construction, garbage recycling, transport [4].

Thus, the fight against organized crime in the Netherlands is preventive in nature: this function is entrusted to local executive authorities. Of course, the fight against organized crime in the subsequent stages of prevention is carried out by law enforcement agencies of various kinds. There are two approaches to institutional support for the prevention and fight against organized crime: in the first case, the prevention of organized crime is carried out by law enforcement agencies in general, without the creation of special bodies designed to prevent organized crime. In the second case, specialized bodies are created [4].

As for the mentality, the Netherlands are quite straightforward. They believe that "everyone has the right to say what he or she thinks. And if you don't like it, that's your problem." This is already at odds with the mentality of the same Ukrainians or British, because even for loud conversations that interfere with others in Ukraine may be administratively liable.

The concept of cooperation exists in society at a deep level, starting with the family, where children have the right to vote on an equal footing

with adults. As they say: "We have an equal culture. And this means that we do not create a hierarchical relationship between the leader and the subordinate." In Ukraine, almost all public administration is built on the imperial system.

Also, the Netherlands is a fairly developed country with a low unemployment rate (6.9% of the population), with a Ginny index of 26%, and only 9% of the population outside the poverty line. The high standard of economic life of the population is also a preventive measure against crime.

So, in conclusion, I can say that the problem for Ukraine is too much borrowing of systems and models to combat crime. In the future, the Ukrainian police should create its own model of public order protection, which would correspond to the economic and cultural development of the country, the mentality of the people and their customs, to reduce crime and increase public confidence in the police.

#### **Список використаних джерел**

1. How INTERPOL supports the Netherlands to tackle international crime. Retrieved from <https://www.interpol.int/en/Who-we-are/Member-countries/Europe/NETHERLANDS>.

2. Енциклопедія Сучасної України. : Т.3. Біо-Бя. / Гол. ред. колегія: Дзюба І.М., Жуковський А.І., Романів О.М. та ін.; Керівник наук.-ред. підготовки ЕСУ Железняк М.С. [б. м.] : Координаційне бюро ЕСУ НАН України., 2004. 696с

3. Мекінг Ольга. Чому голландці завжди кажуть те, що, думають? URL: <https://www.bbc.com/ukrainian/vert-tra-43128149>.

4. Міняйло Н. Є. Зарубіжний досвід запобігання організованих злочинності. Національна академія прокуратури України. Науковий вісник Чернівецького університету. К., 2013. URL: <http://lawreview.chnu.edu.ua/visnuku/st/660/25.pdf>.

**Негода-Збанацька І.**, курсант  
Національної академії внутрішніх справ  
Консультант з мови: **Гончаренко Н. І.**

#### **FBI – HISTORY AND TASKS**

Today's FBI is an intelligence-driven and threat-focused national security organization with both intelligence and law enforcement responsibilities that is staffed by a dedicated cadre of more than 30,000 agents, analysts, and other professionals who work around the clock and across the globe to protect the U.S. from terrorism, espionage, cyber attacks, and major criminal threats, and to provide its many partners with services, support, training, and leadership.

Let's begin with the history of this agency. By 1908, the time was right for a new kind of agency to protect America. The country's cities had grown enormously by 1908 — there were more than 100 with populations over 50,000 — and understandably, crime had grown right along with them. In these big cities, with their many overcrowded tenements filled with the

poor and disillusioned and with all the ethnic tensions of an increasingly immigrant nation stirred in for good measure, tempers often flared. Clashes between striking workers and their factory bosses were turning increasingly violent. And though no one knew it at the time, America's cities and towns were also fast becoming breeding grounds for a future generation of professional lawbreakers. In Brooklyn, a nine-year-old Al Capone would soon start his life of crime. In Indianapolis, a five-year-old John Dillinger was growing up on his family farm. And in Chicago, a young child christened Lester Joseph Gillis. Just around the corner, too, was the world's first major global war – compelling America to protect its homeland from both domestic subversion and international espionage and sabotage.

The chain of events was set in motion in 1906, when Roosevelt appointed a likeminded reformer named Charles Bonaparte as his second Attorney General. Soon after becoming the nation's top lawman, Bonaparte learned that his hands were largely tied in tackling the rising tide of crime and corruption. He had no squad of investigators to call his own except for one or two special agents and other investigators who carried out specific assignments on his behalf. They included a force of examiners trained as accountants who reviewed the financial transactions of the federal courts and some civil rights investigators. Bonaparte made the problem known to Congress, which wondered why he was even renting Secret Service investigators at all when there was no specific provision in the law for it. In a complicated, political showdown with Congress, involving what lawmakers charged was Roosevelt's grab for executive power, Congress banned the loan of Secret Service operatives to any federal department in May 1908.

Now Bonaparte had no choice, ironically, but to create his own force of investigators, and that's exactly what he did in the coming weeks, apparently with Roosevelt's blessing. In late June, the Attorney General quietly hired nine of the Secret Service investigators he had borrowed before and brought them together with another 25 of his own to form a special agent force. On July 26, 1908, Bonaparte ordered Department of Justice attorneys to refer most investigative matters to his Chief Examiner, Stanley W. Finch, for handling by one of these 34 agents. The new force had its mission—to conduct investigations for the Department of Justice—so that date is celebrated as the official birth of the FBI.

Of course the main objects of investigation by FBI are Terrorism, Counterintelligence, Cyber Crimes, Public Corruption, Violation of Civil Rights, Organized Crimes, White-Collar Crimes, Violent Crimes, WMD (Weapons of Mass Destruction).

The main difference between this body and the Ukrainian system of police units is that it is a separate, independent body for investigating serious crimes, which has a very extensive system of resources. This system includes resources such as:

- The FBI's Criminal Justice Information Services Division or CJIS the mission is to equip law enforcement, national security, and intelligence

community partners with the criminal justice information they need to protect the United States while preserving civil liberties.

- Improved services for identify fingerprints and other biometrics
- Identity History Summary Checks for a fee, the FBI can provide individuals with an Identity History Summary—often referred to as a criminal history record or a “rap sheet”—listing certain information taken from fingerprint submissions kept by the FBI and related to arrests and, in some instances, federal employment, naturalization, or military service.

- Uniform Crime Reporting or UCR is to generate reliable information for use in law enforcement administration, operation, and management.

- The National Instant Criminal Background Check System or NICS is all about saving lives and protecting people from harm—by not letting firearms fall into the wrong hands. It also ensures the timely transfer of firearms to eligible buyers.

- The National Crime Information Center, or NCICan electronic clearinghouse of crime data that can be tapped into by virtually every criminal justice agency nationwide, 24 hours a day, 365 days a year.

- National Data Exchange or N-DEx system is an unclassified national information sharing system that enables criminal justice agencies to search, link, analyze, and share local, state, tribal, and federal records. N-DEx is also a strategic investigative information sharing system that fills informational gaps and provides situational awareness.

- The Law Enforcement Enterprise Portal orLEEP provides web-based investigative tools and analytical resources, and the networking it supports is unrivaled by other platforms available to law enforcement. Users collaborate in a secure environment, use tools to strengthen their cases, and share departmental documents.

- The Strategic Information and Operations Center or SIOCis the FBI’s global command and communications center. It operates around the clock to maintain enterprise-wide situational awareness and to provide FBI leadership with strategic information by serving as a clearinghouse to collect, process, and disseminate information in a timely manner.

- Laboratory Services created in 1932, the FBI Laboratory is today one of the largest and most comprehensive crime labs in the world. Operating out of a state-of-the-art facility in Quantico, Virginia, the Lab’s scientific experts and special agents travel the world on assignment, using science and technology to protect the nation and support law enforcement, intelligence, military, and forensic science partners.

All of the above services make this body one of the most powerful and efficient in the world, all available resources are correctly matched between each other, they are interconnected, which makes it possible to work faster, more accurately and more efficiently. Also, the FBI has one of the most improved training academy and centers for their agents, analysts and scientists.

### Список використаних джерел

1. URL: <https://www.fbi.gov/>.
2. Watters P., Gillers S. Investigating the FBI: A Tough, Fair Look at the Powerful Bureau – Its Present and Future. N.Y., 1973.
3. Whitehead D. History of FBI: A Report to the People. Washington, 1956.
4. Lowenthal M. The Federal Bureau of Investigation. N.Y., 1950. P. 550.
5. Согрин В.В. История США. СПб., 2003
6. Holden H. FBI 100 Years. Minneapolis, 2008. PP. 5 – 15

*Нерез В.*, здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
Консультант з мови: *Романов І.*

### ISRAELI EXPERIENCE IN COMBATING TERRORISM

Today terrorism is gaining momentum. Therefore, every country and law enforcement agencies need to be able to resist any manifestations of terrorism. Firstly, let's define the notion of such a phenomenon. Terrorism can be considered as 1) a serious crime; 2) perpetrated with the intent of causing death or serious bodily injury, or taking of hostages; 3) committed for the purpose of provoking a state of terror in the general public or in a group of individuals or particular individuals, intimidating a population or compelling a government or an international organization to carry out, or to abstain from carrying out any act. Comprehensive, strategic efforts are necessary to effectively counter terrorism, in particular to prevent people from becoming terrorists and to thwart terrorist suspects' plans and to bring them to justice in a court of law [1].

Israel is one of the most successful country in dealing with terrorism and combating terrorist activity. For example, The United States has much to learn from Israeli experience in combating terrorist activity. Like the United States, Israel has used targeted killings because in many circumstances key terrorists who are actively masterminding attacks are difficult to arrest without significant risk to the security forces. Accurate, timely and actionable intelligence is necessary for targeted killings. Rapid intelligence sharing and avoidance of "information leak" (when an agency retains information or intelligence and does not share it with other agencies) is essential. Israel also goes through a range of measures to minimize the loss of innocent life. Perhaps the greatest lesson the United States can draw from Israel is the need for policy transparency. While the Israeli government does not share specific intelligence on its operations, the targeting criteria are widely understood by all political parties and the general public. The result is a broad political consensus in favor of the careful use of targeted killings. As Israel has learned, although transparency may lead to restraints on targeted killings that could result in missed

opportunities, the result will be a policy that is sustainable over the long-term.

Israeli experience and the lessons of these policies for the United States suggest six principles that must be kept in mind while dealing with the terrorism.

First, the number of effective terrorists is limited. By eliminating the most skilled and dangerous terrorists through arrests (the preferred method) or by targeted killings (if absolutely necessary), a state can greatly disrupt the operations of a terrorist organization.

Second, means that not every terrorist must be killed or arrested for a counterterrorism strategy to be successful. If the pace of arrests and killings is rapid enough, then the terrorist organization can lose the critical mass of skills and capabilities that it requires to function.

Third, it is far better that a local government's forces are used to fight terrorism than to call on outside forces, no matter how skilled they are. The locally based government can use its authority, legal system, knowledge of the terrain, and intelligence and police assets to fight terrorists far more effectively than any foreign government coming in from the outside. In addition, foreigners are likely to alienate the local population.

Fourth, while terrorists can be highly skilled, they are far from perfect and they often make mistakes. Terrorism is a grave threat, but all too often the terrorists are analyzed as if they were superhuman and their actions are misunderstood in terms of this overestimation of their abilities.

Fifth, while many governments are weak, they will almost always prove stronger than the terrorists in the event of an open confrontation. Therefore, the argument that some governments want to crack down on terrorists but cannot is an argument that should not be accepted.

Sixth: arrests, targeted killings, and defensive measures are means of managing a conflict, not means of solving it. A lasting settlement to the Israeli-Palestinian conflict requires a political settlement, but such a settlement is only possible once security services can reduce the problem of terrorism to manageable levels [2].

As a result, we can state that terrorism and terrorists are a great threat in today's world. Recently, waves of terrorist attacks have swept across Europe and Ukraine (armed terrorist attack in Vienna, hostage-taking in Lutsk, terrorist attack in France). In this regard, all countries need to improve counter-terrorism practices and follow the example of Israel. States propose some basic axioms for combating terrorism. Although, they are very harsh to terrorists and are also very effective and help save the lives and health of both civilians and law enforcers.

#### **Список використаних джерел**

1. Preventing Terrorism and Countering Violent Extremism and Radicalization that Lead to Terrorism: A Community-Policing Approach. Published by the Organization for Security and Co-operation in Europe Vienna, OSCE 2014.



2. AVI DICTER DANIEL L. BYMAN. Israel's lessons for fighting terrorists and their implications for The United States.

*Носова А.*, курсант Національної академії  
внутрішніх справ

**Консультант з мови: Скриник Л.**

## **COMBATING ORGANIZED CRIME IN THE WORLD**

Organized crime is considered to be a changing and flexible phenomenon. Many of the benefits of globalization such as easier and faster communication, movement of finances and international travel, have also created opportunities for transnational organized criminal groups to flourish, diversify and expand their activities. Traditional, territorial-based criminal groups have evolved or have been partially replaced by smaller and more flexible networks with branches across several jurisdictions. In the course of an investigation, victims, suspects, organized criminal groups and proceeds of crime may be located in many States. Moreover, organized crime affects all States, whether as countries of supply, transit or demand. As such, modern organized crime constitutes a global challenge that must be met with a concerted, global response.

Organized crime has become a serious concern for the entire global community. The era of globalization has transformed the world into a new social order characterized primarily by the unrestricted movement of goods and factors of production along national borders. The globalization of society and the advancements in transportation and communication technologies have provided various opportunities not only for the prosperity of our societies, but also for the criminal world as well. Availing themselves of these advancements, organized crime syndicates have become a major challenge for the international community. It can even be said that organized crime has become among the top non-military threats to international security and stability since the end of the Cold War.

Organized crimes reveal similar characteristics. Their infrastructures are highly sophisticated and easily adaptable to the trends in globalization. They maintain opportunistic temporary alliances and there is usually a strong linkage among the various types of organized crime such as terrorism, illicit trafficking in narcotic drugs and psychotropic substances, trafficking in human beings, small arms, radioactive materials and even weapons of mass destruction.

Needless to say, organized crime in all its forms, possesses a serious threat to the health, security and welfare of human beings, and adversely affects the economic, cultural and political foundations of society. It causes the erosion of the hard-earned benefits of development, the destabilization of the socio-economic order, the destruction of the moral and social fabric of society and undermines the quality of life of the peoples in the region.

Hence, combating international organized crime is one of the major challenges for the international community. International organized crime

forms part of a complex set of new security challenges. This calls for a multi-faceted approach to the problems we are facing. Although law enforcement is primarily the responsibility of sovereign nations, crime is becoming increasingly global. Thus, organized crime requires a coordinated international response and a close regional cooperation.

Within this framework, there is need for: creating coordinated comprehensive national strategies, quick exchange of information and experience among the law enforcement officers and other criminal justice officers, cooperating in the area of border security, and creating public awareness on transnational crime as a national security threat in order to enlist citizens' participation in combating organized crime. Furthermore, considering the fact that transnational criminal syndicates always penetrate the weakest defenses of government institutions, counter-measures should be taken to strengthen these institutions including reforms targeting the elimination of corruption.

Cooperating to put an end to various forms of organized crimes by acceding to international instruments is also an important step. "The United Nations Convention Against Transnational Organized Crime" and its three Protocols are among such international instruments. Turkey is party to the said Convention and its Protocols.

Bilateral agreements for cooperation against drug trafficking, terrorism and organized crime do also have significant importance. Turkey has concluded such agreements with more than 70 countries. Turkey is also party to certain regional cooperation efforts in the fight against organized crime in the Balkans and Black Sea regions, such as the Stability Pact, the South East European Cooperative Initiative (SECI), the Black Sea Economic Cooperation (BSEC).

In addition, the "Agreement on Cooperation between the European Police Office (EUROPOL) and the Republic of Turkey" has entered into force as of July 2004.

Furthermore, as a country which has achieved great success in the fight against organized crime and illicit drug trafficking, Turkey has lead a national initiative aimed at setting up an infrastructure to carry out efforts at the international level. Within this framework, the Turkish International Academy Against Drugs and Organized Crime (TADOC) was founded in Turkey with the cooperation of the United Nations Office on Drugs and Crime. TADOC, with the aim of sustaining and improving the conditions of the fight against organized criminal groups in the light of scientific data has set up an appropriate basis to establish and foster regional and international cooperation by building a network in the fight against crimes by integrating trainees from different agencies of various countries. Since its establishment in 2000, more than 1600 national and international law enforcement officers have participated in the training and seminar programs organized by TADOC.

Several EU agencies have been set up to deal with cross-border crime in the EU, including Europol, Eurojust and CEPOL. Particularly

Europol's mandate has been a hotly debated topic since its inception. Voices have been raised in favor of creating a fully-fledged European police force ("the European FBI" scenario). However, proposals to grant Europol executive powers are highly controversial, since any debate on new competencies leads to questions on democratic oversight and civil liberties. In spring 2017, the EU adopted its next 4-year plan for the fight against organized crime. This plan, known as the 'EU policy cycle', will run until 2021. The EU priorities include cybercrime, drugs trafficking, facilitation of illegal immigration into the EU, organized theft and burglary. The progress of the EU's fight against organized crime is published by the Council of the European Union.

Italy, for obvious reasons, has the most advanced anti-mafia regulations. Even without a final conviction, assets can be permanently confiscated by the state. For particularly serious offenses, there is a "reversal of the burden of proof"; if a suspect fails to demonstrate the legitimacy of his or her money and assets, the state can remove them, regardless of any later conviction or acquittal in court. This preventive measure, introduced in 1982, is a cornerstone of Italian anti-mafia legislation. The corresponding law 646 was named for Pio La Torre, a PCI parliamentary member that Cosa Nostra killed that same year in Palermo.

Until recently, globalization and technological sophistication were considered emerging trends in organized crime - today they are the norm. Due to the advanced capabilities of these groups, they can be found virtually anywhere where there is a profit to be made through criminal ventures. According to the 2006 annual CISC report, there are nearly 800 organized crime groups operating in Canada<sup>Footnote4</sup>. Although the majority of these groups are concentrated in urban centers, many are now operating from smaller communities across the country. As such, governments and the law enforcement community must remain diligent and proactive in their efforts to prevent the displacement of organized crime.

Another notable characteristic of today's organized crime groups is the shift from mainly ethnic based groups to multicultural criminal organizations. CISC reports that although ethnic and cultural heritage remains an influencing principle within the organized crime environment, the growing number of multi-ethnic groups is based on criminal capabilities rather than ethnicity<sup>Footnote5</sup>. Similarly, the structure of organized crime groups is much more flexible today than in the past. Hierarchical groups continue to exist, most notably through OMGs. Law enforcement, however, is identifying groups that are based on temporary alliances requiring particular skills to complete a specific criminal enterprise. Once the criminal venture is completed, these individuals may or may not continue to work together <sup>Footnote</sup>.

In recent years, organized crime groups have become more complex and sophisticated, as have new types of crime. These groups are increasingly using new and evolving technology to commit crime and to communicate with other criminal groups. For example, communications

devices are frequently used to target sensitive personal and financial information in order to conduct identity theft and mass marketing fraud. Organized crime groups are also expanding into legitimate business activities, as well as branching out into new markets world.

#### **Список використаних джерел**

1. Turkey's efforts in combating organized crime: Turkey and the EU. – Mode of access: [http://www.mfa.gov.tr/turkey\\_s-efforts-in-combating-organized-crime.en.mfa](http://www.mfa.gov.tr/turkey_s-efforts-in-combating-organized-crime.en.mfa). – Title from the screen.

2. Organized Crime : UN Office on Drugs and Crime. – Mode of access: <https://www.unodc.org/unodc/en/organized-crime/intro.htm.l> – Title from the screen.

3. Working Together to Combat Organized Crime : Public Safety Canada. URL: <https://www.publicsafety.gc.ca/cnt/rsrcls/pblctns/cmbtng-rgnzd-crm/index-en.aspx>.

*Олійник В., здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
Консультант з мови: Горбач О.*

#### **HANS GUSTAV ADOLF GROSS – BEGRÜNDER DER FORENSISCHEN WISSENSCHAFT**

Gross wurde in Graz geboren und absolvierte die Universität Graz. Von 1869 bis 1897 arbeitete Gross als forensischer Ermittler in Czernowitz. In dieser Zeit entwickelte er ein Empfehlungssystem für die Ermittlung von Straftaten, das die Grundlage für die grundlegende Arbeit "Leitfaden für Ermittler, Gendarmerie und Polizeibeamte" (1893) bildete. Obwohl Gross nicht promoviert wurde, wurde er 1897 Professor für Strafrecht an der Universität Tscherniwti. 1902 wechselte Gross an die Universität Prag und ab 1905 wurde er Lehrer an der Universität Graz.

"Handbuch" von Gross wurde sofort in viele europäische Sprachen übersetzt (zum Beispiel wurde die erste Übersetzung ins Russische zwischen 1895 und 1896 veröffentlicht). Die dritte Ausgabe (1898) trug vom Autor den Titel "*A Forensic Investigator's Guide as a Forensic System*". Der Begriff Forensik wurde von Gross geprägt und gab später der Wissenschaft der Kriminalpolizei den Namen. Gross fasste die polizeilichen Erfahrungen beim Sammeln von Beweismitteln zusammen, beschrieb das Leben und die Fachsprache von Berufsverbrechern sowie die Verwendung der neuesten wissenschaftlichen Erkenntnisse bei Ermittlungsaktivitäten (z. B. Röntgenstrahlen) und gab auch eine Beschreibung vieler Strafsachen. Gross gründete auch die erste forensische Zeitschrift, Archiv für Kriminalanthropologie und Kriminalistik, deren Chefredakteur er von 1898 bis zu seinem Tod war. Gross gründete das Institut für Forensik in Graz [1].

Die Meinung, dass "die Forensik weniger als andere Rechtswissenschaften ideologisiert war und die unbedeutenden Konsequenzen des Klassenansatzes bei der Analyse einiger methodischer

Probleme ziemlich leicht beseitigt werden konnte" ist übertrieben. Es ist nicht so einfach, die alten Stereotype loszuwerden, die seit Jahrzehnten in der Wissenschaft funktionieren. Inländische Kriminologen müssen noch viel daran arbeiten, das von der Kriminologin gesammelte Wissen zu überdenken, auch in ihrer Sowjetzeit. Das Vorstehende bezieht sich insbesondere auf das Umdenken der Arbeit von Hans Gross, das leider noch nicht Gegenstand einer unabhängigen wissenschaftlichen Forschung unter russischen Wissenschaftlern geworden ist. In der postsowjetischen Kriminologie gibt es nur äußerst kurze und allgemeine Merkmale von H. Gross und seinem Beitrag zur Bildung der Kriminologie [2].

Innerhalb eines Jahres fand in Linz, Österreich, der Kongress der Internationalen Union der Kriminologen statt, auf dem Hans Gross einen lebendigen und aussagekräftigen Bericht verfasste. Die Kongressteilnehmer erkannten ihn als "Vater der Kriminologie" an und beschlossen, diese Wissenschaft an juristischen Fakultäten zu unterrichten.

1905 wurde der 57-jährige Dr. Hans Gross schließlich eingeladen, an seiner Alma Mater, der Universität Graz, ordentlicher Professor für Straf- und Strafprozessrecht zu werden. Er hat die letzten 10 Jahre seines Lebens an dieser Hochschule gearbeitet. 1908 verlieh ihm die österreichische Regierung unter Berücksichtigung der aktiven Beteiligung des Wissenschaftlers an der Reform des Strafrechts und der Justiz sowie der wissenschaftlichen und pädagogischen Verdienste den Orden der Eisernen Krone. In zwei Jahren wurde er zum Dekan der Rechtswissenschaftlichen Fakultät gewählt.

Während seiner Lehrzeit versuchte Professor Gross, speziell ausgestattete Labors für das Studium der Kriminologie zu schaffen, und träumte davon, ein Institut mit diesem Profil zu gründen. Nachdem er 1905 in seine Heimatstadt gezogen war, schenkte er der Universität sein eigenes Kriminologie-Museum, für das er bereits als forensischer Ermittler Exponate sammelte. Die Idee, das Institut zu gründen, wurde vom Justizministerium unterstützt, aber das Ministerium für Kultur und Bildung erkannte die Notwendigkeit dafür nicht und bestritt dies nachdrücklich. Hans Gross brauchte viele Jahre, um seinen Traum zu verwirklichen und die Türen der Bürokrate zu füllen.

Am 13. Februar 1913 wurde das Institut für Kriminologie an der Universität Graz eröffnet und Professor Gross zum Leiter ernannt. Die Studierenden des Instituts erhielten Vorlesungen über Kriminologie, Kriminalpsychologie, Anthropologie und Statistik. Es verfügte über eine eigene Fachbibliothek, ein forensisches Ausbildungsmuseum, mehrere Labors und die Zeitschrift "*Archives of Criminal Anthropology and Forensics*", deren Chefredakteur weiterhin Hans Gross war. Das Institut, an dem die sogenannte Grazer Schule für Kriminologie gegründet wurde, sammelte Erfahrungen nicht nur von einzelnen Fachleuten, sondern auch von ganzen Delegationen aus Europa und Amerika.

Gross verbrachte die letzten Jahre seines Lebens damit, Memoiren zu schreiben, aber der Tod seines einzigen Sohnes Otto verkrüppelte die Stärke

eines bereits jungen Professors. Er starb am 9. Dezember 1915, weniger als zwei Wochen vor seinem 68. Geburtstag. Der Begründer der Kriminologie ist in der Familiengruft von Graz auf dem Petersfriedhof begraben [3].

#### **Список використаних джерел**

1. URL: [https://ru.m.wikipedia.org/wiki/%D0%93%D1%80%D0%BE%D1%81%D1%81\\_%D0%93%D0%B0%D0%BD%D1%81](https://ru.m.wikipedia.org/wiki/%D0%93%D1%80%D0%BE%D1%81%D1%81_%D0%93%D0%B0%D0%BD%D1%81)
2. URL: <https://un-sci.com/ru/2020/11/01/gans-gross-osnovopolozhnik-nauki-kriminalistiki-i-kriminalnoj-psihologii/amp/>.
3. URL: <https://www.ndekc.cv.ua/tvorets-kryminalistyky/>.

*Павлова А.*, курсант Національної академії внутрішніх справ

**Консультант з мови: Василенко О.**

### **THE PROBLEM OF INTERNATIONAL FIGHTING DRUG ABUSE**

Drugs are probably as old as mankind and this problem continues to worsen inexorably from year to year. The drug problem is one of the major challenges the international community is facing. The annual turnover in the global narcotics industry is estimated to be 320 billion US dollars. The illegal drug trade bolsters organized crime, has a destabilizing effect on the states, endangers public health and is used to finance terrorist activities [1].

International drugs cartels are becoming more aggressive and more expansionist in attacking new markets with new drugs with ever changing distribution patterns and with increasing skill in concealment and in handling the money from their sales. Even more worrying, they are using their increasing resources to interfere in the democratic and economic processes of countries by political influence and by taking over key sectors of business and financial services [2].

Drug abuse is the use of some substances which affect the functions of body negatively. Despite their damage to the body, their usage cannot be dropped. When one becomes addicted, the symptoms of deprivation start gradually increase in parallel with the frequency of usage and dosage. Drugs are chemical substances which make people on numbed, inert, and out of control. They also cause addiction and bring about psychological, behavioral, and physical changes in the body of a person using it.

Drug use is high fashion among young people nowadays despite its negative effects on the daily life and social relations. It is also a vicious cycle for the junkies since the body needs more drug each passing day and the usual dosage does not suffice. Therefore, many junkies overdose on drugs [3].

The flood of heroin from Asia, cocaine from South America, cannabis from North Africa and synthetic drugs from European bases is unstoppable. Bigger and more frequent seizures by customs may indicate greater success in tracing drug shipments. More often than not these seizures are an indication of an increased flow of drugs. On the side of law and order we observe that police forces and customs are co-operating in the war against drugs far more effectively than was the case ten or even five

years ago. But they are still inadequately equipped and of the lack sufficient manpower [3].

Central importance focuses to cooperation between donor countries, emerging economies and the developing world. Repressive measures against drug cultivation and trafficking alone do not help. Rather, viable alternatives to the narcotics industry in developing and emerging economies must be found, so people in these countries must have other means of earning an adequate living [1].

Public spots, informative studies, educational programs for parents and young people about the substance abuse are considered among the preventive actions. Thanks to these preventive works, people acquiring enough information about the fatal effects of drugs try to protect themselves from this deadly problem. This helps both the individuals and the societies become healthier both psychologically and physically. In addition, psychotherapy, medical treatment, social support, arts, sports, and other related activities can also be used as alternative treatment methods. As a matter of fact, the best method for fighting drug abuse is never to start using drug [2].

Under the three United Nations drug control conventions, states undertake to control the production of and trade in narcotic drugs, reduce demand, combat drug abuse and illicit drug trafficking, create the requisite institutions to enable them to do so and report on such action to the relevant international bodies. Compliance is monitored by the International Narcotics Control Board (INCB). The Commission on Narcotic Drugs (CND) meets annually in Vienna.

As a reflection of the importance the international community attaches to the fight against drugs, a Special Session of the United Nations General Assembly (UNGASS) on the world drug problem was held in 2016. This meeting stressed the importance of a health-oriented approach to drug policy [1].

All member and applicant countries of the European Union must be fully committed to international co-operation against drugs trafficking and the growing menace of international crime. A steady move must take place to multi-lateral co-operation throughout the European Union in matters such as extradition, penalties, powers of pursuit, sharing of information etc. Timetables must be set, but in the meantime, bilateral agreements with every country on these important matters should be put in place. This will require a high degree of political will which is not yet sufficiently evident [3].

So drugs are serious problem in the world, which is becoming more common from year to year. Only by pooling international efforts, the global dimension of the drugs problem can be tackled successfully.

#### **Список використаних джерел**

1. International fight against drugs (article). URL: <https://www.auswaertiges-amt.de/en/aussenpolitik/themen/terrorismus-kriminalitaet/-/231920>.
2. The fight against drugs. URL: [https://www.europarl.europa.eu/topics/drugs/drug3\\_en.htm](https://www.europarl.europa.eu/topics/drugs/drug3_en.htm).

3. Fight against Drug Abuse. A. Hümeýra Kutluođlu Karayel. November 19, 2018. URL: [https://insamer.com/en/fight-against-drug-abuse\\_1801.html](https://insamer.com/en/fight-against-drug-abuse_1801.html).

**Панченко В.**, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Богущий В.**

## **A CRITICAL LOOK AT INTERNATIONAL PROTECTION OF ONLINE PRIVACY**

Binding Corporate Rules are more effective than privacy protection enforced through electronic walls because they preserve the global character of the network. Perceived through national or regional standards, electronic walls constructed to preserve privacy make the threat of a splinternet real. Regardless of whether it is introduced to protect privacy, prevent copyright infringement, or uphold morality, splinternet signals the end of the global network as we know it. The global information society will cease to exist if the once-global network becomes a set of sparsely connected national webs. Nations may gain the perception of security but lose the interoperability of the global network and access to the global "cloud" of information. If states choose to sacrifice their residents' freedom of information and exercise permanent surveillance of all online activities in order to guarantee security and secure data through national privacy standards, a global cyberspace that posed the initial threat will be gone.

A walled cyberspace does not have to be the answer. International law offers several potential solutions to these global challenges, grounded in its rich jurisprudence on human rights and conflict resolution. There are numerous international projects aimed at reaching a consensus in the application of existing human rights for online interactions—for example, the OECD Guidelines on personal data.

The more recent developments in privacy protection compromise are geared toward the structure of the cloud-computing based cyberspace [2]. Data protection policies are no longer settled at governmental conferences but, instead, are established by transnational companies. These data protection policies are verified by the users who either willing use them or exit a network they find to be unsafe or exploitive. Global businesses were the first to recognize the characteristics of the information society and amend their policy models accordingly. Because elaborate international hard-law treaties are time-consuming and require extensive compromises, current proposals resort to soft-law measures. These soft-law measures take the form of selfregulation (or co-regulation) [3] based on common ethical standards, described in non-binding declarations or guiding principles. Endeavors such as the Google Global Network Initiative resort to self-regulation, calling upon industry representatives (social platforms operators, ISPs) to adhere to a set of rules and principles aimed at granting



international privacy protection to their users [1]. The existing privacy challenge encourages companies to reach for the rich, soft-law background available in public international law. Commissioner Reding's proposal takes this practice a step further, giving a company-proposed set of policy guidelines a legally binding character after its approval by an EU data protection body. Introducing the BCRs might serve as the missing link between soft law regulations and international law making. The role of customary international law is being reinvented.

Determining the scope of the human rights catalog for online activities is recognized as the biggest challenge that the information society will have to face in the near future. Success will be realized only if the global community unites to tackle the challenge together. Physical elements of the global network, regardless of their location, may function well only if they are managed coherently. If states fail to see that truth and construct firewalls around the areas that they believe to be their "parts" of the cyberspace, thereby creating "walled gardens" to protect their residents' privacy, the global information society will surely face its doom: the end of the global cloud facilitating the free exchange of thought and information. A consensus-based global solution, resembling BCRs in flexibility, may serve as a starting point for finding a global consensus on human rights online protection.

#### **Список використаних джерел**

1. Global Network Initiative. Available at. URL: [http://www.globalnetworkinitiative.org/files/GNIAnnualReport\\_2010.pdf](http://www.globalnetworkinitiative.org/files/GNIAnnualReport_2010.pdf). (last visited Oct. 8, 2020).

2. Sophie Curtis, New Privacy Laws Could Boost EU Cloud Industry, Techworld. Available at. URL: <http://news.techworld.com/data-centre/3333104/new-privacy-laws-could-boosteu-cloud-industry/> (last visited Oct. 8, 2020).

3. Tunis Agenda for the Information Society, World Summit On The Info. Available at. URL: <http://www.itu.int/ws/is/docs2/tunis/off/6rev1.html> (last visited Oct. 8, 2020).

**Патраманська І.**, курсант Національної академії внутрішніх справ  
**Консультант з мови: Хоменко О.**

#### **COMBATING DOMESTIC VIOLENCE IN THE UK**

Domestic abuse remains pervasive within British society. Despite the long-term falling prevalence, an estimated 2 million adults report being subjected to domestic abuse and, tragically, 82 women and 13 men were killed by a partner or former partner in 2016/17.

Nearly 2 million people a year in England and Wales experience domestic abuse, and many endure long-term harm from their experiences. Domestic abuse is traumatising for victims and their children and is

unacceptable in society. In addition, NSPCC statistics show that as many as 1 in 5 children in the UK are also witness to or exposed to domestic abuse and violence during childhood [3].

According to the Office of National Statistics (ONS) about 4.2% of men and 7.9% of women suffered domestic abuse in England and Wales during 2018. This equates to about 685,000 male victims and 1,300,000 women. Murders related to domestic violence are at a five year high. The majority of victims are women and the majority of suspects are men. Domestic abuse campaigner, Jess Phillips MP, maintains the government focused too much on criminal justice, while cutting police resources and refuge beds were reduced [1].

Domestic abuse also affects older people. Age UK provided figures showing 200,000 people aged 60 to 74 experienced domestic abuse in England and Wales during one year. Unrecorded abuse could mean the actual figures are higher.

People over 74 were not included in the figures. Caroline Abrahams of Age UK said, "There's a widespread misconception that domestic abuse only happens to younger people but sadly hundreds of thousands of older people are affected, too. Barriers [to asking for help or to leaving an abusive relationship can be severe for survivors who have been subject to years of prolonged abuse, are isolated within a particular community through language or culture, are experiencing long-term health impacts or disabilities, or those who are reliant on their abuser for their care or money".

65% of Local Authorities have cut real terms funding for women's refuges in England, Wales and Scotland since 2010. The government plans to make victims of domestic abuse compete with other vulnerable groups for funding for temporary housing. Women fleeing domestic violence will not be eligible for housing benefit; instead there will be limited funding to provide for domestic violence victims, drug addicts, former offenders and homeless people.

Some men have repeatedly killed female partners. In the case of Theodore Johnson, convicted of murder in January 2018 and eventually jailed for a minimum of 30 years, he was found guilty of manslaughter on two previous occasions because of his mental health. Such cases are seen as evidence that violence by men against women is not treated seriously by the authorities [4].

In Scotland there is an initiative to reduce domestic violence called the "Equally Safe Strategy". This involves early intervention in domestic abuse cases affecting women, girls and children. The Caledonian Programme dealing with men convicted of crimes involving domestic abuse will be expanded to help reduce re-offending and the 'Rape Crisis Sexual Violence Prevention Programme' will also be introduced in more schools. A rape and sexual abuse support service in England and Wales is also receiving a boost.

The NHS also cares about domestic violence, in part because it has exacerbated the problem of women during pregnancy.

"Statistics are very worrying. Every fourth woman is abused at home. In a third of cases, problems begin when a woman becomes pregnant. In 6% of cases, the victims are men. The worst thing is that in the United Kingdom, domestic violence kills an average of two women every week," says the NHS.

#### **Список використаних джерел**

1. Domestic Abuse: Get Help During the Coronavirus (COVID-19) Outbreak. URL: <https://www.gov.uk/guidance/domestic-abuse-how-to-get-help>

2. Domestic violence in the United Kingdom. URL: [https://en.wikipedia.org/wiki/Domestic\\_violence\\_in\\_the\\_United\\_Kingdom](https://en.wikipedia.org/wiki/Domestic_violence_in_the_United_Kingdom)

3. Domestic Violence and Abuse Conference: Transforming Services and Supporting Survivors. URL: <http://www.salford.ac.uk/spd/conferences/domestic-abuse-conference>

4. Domestic Violence and Abuse. URL: <https://www.citizensadvice.org.uk/family/gender-violence/domestic-violence-and-abuse/>

***Первак В.***, курсант Національної академії  
внутрішніх справ

**Консультант з мови: Хоменко О.**

### **FOREIGN EXPENC COMBATING DRUG TRAFFICKING IN AFGHANISTAN**

The illegal drug trade or drug trafficking is a global, black market dedicated to the cultivation, manufacture, distribution and sale of drugs that are subject to drug prohibition. It is a multibillion-dollar criminal drug business. Today, the problem of drug trafficking is not the last in the world, because the proceeds from this illegal business have never and nowhere contributed to economic growth and development of states or their individual regions. Most jurisdictions prohibit trade, except under license, of many types of drugs through the use of drug prohibition laws. The UN constantly monitors and studies the world markets for illicit drugs in order to gain more imagination and information to represent this dynamic [1].

The main substance for drug production is opium poppy, it is used as a drug and raw material for the manufacture of other drugs. The main feature of opium is to cause psychological and physical dependence almost instantly, it is also easy to grow and care for. Afghanistan first began producing opium in significant quantities in the mid-1950s, to supply its neighbor Iran after poppy cultivation was banned there [3]. Afghanistan and Pakistan increased production and became major suppliers of opiates to Western Europe and North America in the mid-1970s, when political

instability combined with a prolonged drought disrupted supplies from the Golden Triangle.

Nowadays drug trafficking is one of the most effective ways to earn money illegally. The largest center for the production and supply of drugs to the world market is Afghanistan. Afghanistan has been the world's leading illicit opium producer since 2001. Afghanistan's opium poppy harvest produces more than 90% of illicit heroin globally, and more than 95% of the European supply. More land is used for opium in Afghanistan than is used for coca cultivation in Latin America.

Approximately 380 tons of heroin and morphine are produced exclusively from Afghan opium. About 5 tons are consumed and seized in Afghanistan, most of which – the remaining 375 tons – are transported around the world by routes passing through Afghanistan's neighboring countries [4].

At present, the Afghan authorities can not completely stop the cultivation of opium poppy, even with the help of the United States, Russia and Europe. This is hindered by drug lords and the Taliban terrorist organization.

To combat drug trafficking in Afghanistan, the fight against poppy crops is being carried out, poppy fields are being cut down, drug laboratories are being searched for and destroyed [2].

In conclusion, this problem is still relevant and summarising the above mentioned, we can say that the resources provided to combat this problem are insufficient. It is necessary to attract as many volunteers as possible, and the country's authorities should pay more attention to the economy and encourage the population to earn money legally.

#### **Список використаних джерел**

1. 95% світового героїну має свій початок в Афганістані. URL: <https://www.radiosvoboda.org/a/968672.html>.

2. Незаконний обіг наркотиків. URL: <https://www.unodc.org/unodc/drug-trafficking/index.html>.

3. Розвиток наркоторгівлі. [http://irbis-nbuv.gov.ua/cgi-bin/irbis\\_nbuv/cgiirbis\\_64.exe?C21COM=2&I21DBN=UJRN&P21DBR=3UJRN&IMAGE\\_FILE\\_DOWNLOAD=1&Image\\_file\\_name=PDF/boz\\_2011\\_25-26\\_3.pdf](http://irbis-nbuv.gov.ua/cgi-bin/irbis_nbuv/cgiirbis_64.exe?C21COM=2&I21DBN=UJRN&P21DBR=3UJRN&IMAGE_FILE_DOWNLOAD=1&Image_file_name=PDF/boz_2011_25-26_3.pdf).

4. Розповсюдження афганських наркотичних речовин на світовому ринку. URL: [https://nau.edu.ua/site/variables/news/2018/5/Тези%202018/26-Інформаційно-комунікаційні%20засади%20міжнародних%20відносин%20\(IMB\).pdf](https://nau.edu.ua/site/variables/news/2018/5/Тези%202018/26-Інформаційно-комунікаційні%20засади%20міжнародних%20відносин%20(IMB).pdf).

**Под'ячев Д.,** здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
**Консультант з мови: Горбач О.**

## **HERLOCK HOLMES VON FRANKREICH: EDMOND LOCARD**

Edmond Locard (13.12.1877 – 4.04.1966) war ein französischer Arzt und Jurist. Er gilt als Pionier im Bereich der Forensik, der auch „Sherlock Holmes von Frankreich“ genannt wurde. Er formulierte das Grundprinzip der forensischen Wissenschaft – „jede Berührung eine Spur hinterlässt“. Dies wurde *Locard'sche Regel* oder auch *Locard'sches Prinzip* genannt. Edmond Locard hatte eine herausragende Rolle in der europäischen und weltweiten Entwicklung der Kriminalistik, insbesondere der chemischen Spurenuntersuchung (der Forensischen Chemie) und der Mikrostaubspuren-Analytik. Er ist der Sohn von Arnould Locard (1841–1904).

Edmond Locard wurde in Saint-Chamond (Loire) geboren. Seine Familie zog einige Jahre später nach Lyon. Er studierte an den Universitäten Demoiselles Blanchoux und College St Thomas Aquin Medizin und Rechtswissenschaften. Er beherrschte elf Sprachen in Wort und Schrift, darunter Griechisch, Latein, Hebräisch und Sanskrit [1]. Nach seinem Studium wurde er an der Universität Lyon Assistent des französischen Arztes Alexandre Lacassagne (1844–1921), der oft als Vater der modernen forensischen Medizin bezeichnet wird. Lacassagne wurde Locards Mentor.

Im Jahre 1910 zeichnete sich in Lyon ein Ansteigen der Zahl von Gewaltverbrechen, insbesondere Morden, ab. Locard gelang es, die Lyoner Polizei von den Vorteilen eines Labors zur Sammlung und Prüfung von Beweismaterial zu überzeugen. Im Polizeidepartement wurden ihm zwei Zimmer im Dachgeschoss und zwei Assistenten zur Verfügung gestellt. Es handelte sich dabei um das erste Polizeilabor zur Ermittlung von Straftätern. Im November des gleichen Jahres löste er durch seine Ermittlungsarbeit seinen ersten Fall mit Hilfe eines Fingerabdrucks, zwölf Jahre nach der ersten Fingerabdruckidentifizierung unter der Leitung von Bertillon [3].

Im Jahr 1912 wurde das Labor offiziell von der Polizei Lyon anerkannt. Locard leitete das erste offizielle Polizei-Kriminalitätslabor der Welt zur wissenschaftlichen Grundlagenforschung in den Bereichen der forensischen Ballistik, Toxikologie und Identifizierung. Es erhielt weltweite Anerkennung, und gab sein Wissen in den folgenden Jahren an viele Kriminalisten weiter. Einer von ihnen war der Schwede Harry Söderman (1902–1956), der Mentor Locards wurde.

In den Jahren 1914 bis 1918 entwickelte Locard seine Schlussfolgerungen der Fingerabdruckidentifizierung und die Kriterien, die verwendet werden, um die Zuverlässigkeit auf statistische Analysen zu liefern. Seine 1918 veröffentlichte Studie ergab folgende dreigliedrige Regel:

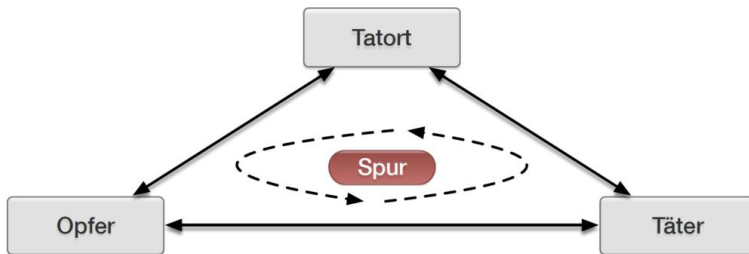
Sind auf einem deutlichen Abdruck mehr als zwölf Merkmale vorhanden, so besteht unumstößliche Gewissheit der Identität.

Bei acht bis zwölf Merkmalen handelt es sich um Grenzfälle; die Gewissheit hängt ab von der Deutlichkeit des Abdrucks, der Seltenheit des Merkmalstypen, dem Vorhandensein des Musterkerns oder der Deltas, der Richtung und der Größe der Winkel bei Gabelungen (die perfekte und offensichtliche Identität in Bezug auf die Breite der papillären Bergrücken und Täler, die Richtung der Linien und den Winkelwert der Verzweigungen), sowie dem Vorhandensein von Poren. Locard gilt daher auch als der Begründer der Poroskopie, Ridgeologie und Edgeoskopie.

Sind weniger als acht Merkmale vorhanden, dann handelt es sich um einen Teilabdruck; eine sichere Beurteilung ist nicht möglich [3].

Er fuhr mit seiner Forschung bis zu seinem Tod im Jahr 1966 fort. Während des Ersten Weltkrieges wurde Locard als Offizier wegen seiner großen Kenntnisse in Fremdsprachen zum Dekodieren geheimer Nachrichten herangezogen.

### Locard'sche Austauschprinzip (1930)



Das Prinzip sagt aus, dass kein Kontakt zwischen zwei Objekten vollzogen werden kann, ohne dass wechselseitige Spuren hinterlassen werden und damit ein Rückschluss auf das dritte Objekt möglich ist. Locard definierte ebenfalls, dass physische Beweismittel nicht falsch sein können, denn Zitat „*Sie (die Beweise) können sich nicht selbst verstellen, sie können nicht vollständig verschwinden. Nur das menschliche Versagen diese zu finden, zu studieren und zu verstehen können ihren Wert vernichten*“ [2]. Auch in der digitalen Forensik ist die Sicherstellung, die Analyse und das Verständnis der Beweismittel der zentrale Ansatzpunkt.

### Список використаних джерел

1. URL: [https://de.linkfang.org/wiki/Edmond\\_Locard](https://de.linkfang.org/wiki/Edmond_Locard).
2. URL: <https://www.hwzdigital.ch/digitale-forensik-keine-tat-ohne-spuren/>.
3. URL: [https://www.bsi.bund.de/SharedDocs/Downloads/DE/BSI/Veranstaltungen/Grundschutz/2GS\\_Tag\\_2016/Heun\\_Forensik.pdf?\\_\\_blob=publicationFile&v=2](https://www.bsi.bund.de/SharedDocs/Downloads/DE/BSI/Veranstaltungen/Grundschutz/2GS_Tag_2016/Heun_Forensik.pdf?__blob=publicationFile&v=2).

*Пословська Т.*, здобувач ступеня вищої освіти магістра Національної академії внутрішніх справ

## **KIDNAPPING: EXPERIENCE OF THE COUNTRIES OF THE EUROPEAN UNION AND UKRAINIAN REALITIES**

Today enough large development takes such type of crime as kidnapping. It is known that the problem of kidnapping was first addressed by the European Communities in the late 80's. On 14 April 1989, the European Parliament adopted a resolution on the exploitation of prostitution and kidnapping, and on 16 September 1993, a resolution on trafficking in women. On 18 January 1996, the European Parliament adopted the following Resolution on Kidnapping. In it, kidnapping (men, women and adolescents) was declared incompatible with morality and dignity and was recognized as a serious violation of human rights [6].

One of the German researchers, Leo Kaydel, determined kidnapping as one of basic types of activity of criminal groups, which takes the 5th place in hierarchy of criminal activity in Germany. Certainly it is violation of all rights and freedoms of man, human rights envisaged in General declaration [1]. On the modern stage of counteraction to kidnapping before the states-members of EU a question appears about the necessity of harmonization of the legislation for accordance with positions of the Scope decision about a fight against kidnapping in 2002. Analysing the national legislation of separate countries in the context of the investigated theme, it follows to mark that most countries acknowledge weight of crime of kidnapping is this act and support at the level of national legislations the facilities of assistance of collaboration accepted by EC in industry of fight against kidnapping [3]. It costs to take into account circumstance that in December, 2000 representatives more than 80 countries going to the Italian city Palermo for signing of document on a new legislative base that is sent to the fight against the transnational organized crime. One of basic platforms of such mode there was the detailed agreement on a fight against kidnapping. Protocol about warning and counteraction to kidnapping, especially, and punishment for her, that complements Convention of United Nations women and children against the transnational organized crime (Accepted by resolution 55/25 General Assembly of 2000) in our time is the only most meaningful and influential internationally legal agreement for counteractions to trade////. According to this Protocol, kidnapping is a complex of operating under transporting, transmission and receipt of persons with the use of threats of application of force, other forms of compulsion, intimidation, or through the grant of untruthful information in relation to possibility of receipt (to earnings) of money in destination [2].

On the modern stage counteraction to kidnapping takes place on all levels, from central (state) to global at the level of international organizations [3]. Analysing the historical aspect of development of law-enforcement politics of European Union, it is set that, passing a few stages

of becoming, it is attained them enough serious changes: government of EC bodies got a right to accept obligatory normative acts, a fight became foreground jobs of that against grave and especially heavy crimes that present a considerable threat for all states-members of Union. As the analysis conducted by us testifies, with the aim of effective realization of mechanisms of state administration from counteraction to the international organized crime, the special agencies are created in European Union, such as the European police and European justice. Both agencies execute a task on questions co-ordination and co-operation between policemen frontier and by other law-enforcement structures in the countries of EU [2]. Presently at the level of EU the Scope decision of CE operates about trading in people. His aim is an unitization of national criminal legislation for providing of effective fight against kidnapping. It complements already accepted CE instruments, such as the General actions from 1996, 1998 and 2000, and also program STOP (sent mainly to development of interdisciplinary approach with bringing in of all parties concerned and spares large attention to the very important role of ungovernmental organizations) and DAPHNE (specially worked out with the aim of support of activity of ungovernmental organizations in the field of defence of women and children - victims of violence.[1 ] Speaking for the countries of EU it follows to pay attention to migratory processes, in fact through them also trading in people develops actively. The special attention to these questions is spared by CE, the member of that Ukraine is from 1995, that lays on her an obligation to bring the legislation to conformity with the standards of CE in industry of human rights and, in particular, on questions prevention of kidnapping. The politician of Ukraine in relation to integration in European Union is also stipulated by actuality of harmonization of national legislation in relation to the protection of human rights with the legislation of European Union, including in industry of prevention of kidnapping [2].

Today, Ukraine is a country of origin and transit for victims of kidnapping to EU member states. Ukraine is not only a neighbor with the EU, but also a strategic partner in many areas, so there is interest in establishing closer relations. In order to establish cooperation in the fight against crime, including kidnapping, Europol and Ukraine signed an Agreement on Strategic Cooperation between Ukraine and Europol on December 4, 2009 during the EU-Ukraine Summit in Kyiv. In order to coordinate the anti-trafficking policy, on September 20, 2011, the Verkhovna Rada of Ukraine adopted the Law on Combating Kidnapping. This Law defines the organizational and legal framework for combating kidnapping, guaranteeing gender equality, the main directions of state policy and principles of international cooperation in this area, the powers of the executive, the procedure for establishing the status of victims of kidnapping and assistance to such persons [4].

Thus, conducting an analysis in relation to the fight against kidnapping in the EU countries and in Ukraine finds enough disparity. From data of International organization from migration, over 230000 Ukrainians



suffered from trading people with 1999 that does Ukraine one of basic countries of origin of victim from modern slavery in Europe [5]. Catastrophic distribution of this problem requires the collaboration of law enforcement authorities, public organizations and every separate citizen [3]. For Ukraine urgent is a necessity of creation of effective mechanisms of state administration migratory processes that would assist the input of effective measures on counteraction to illegal migration and trading in people. The important constituent of process is the use of European experience of state administration from counteraction to illegal migration and kidnapping [2]. It is impossible not to remember for the positive moments counteraction to kidnapping in our state. Adopting experience of the European states, it costs to mark that Ukraine became the third state at level with Belgium and Germany, that defined trading in people a grave crime. Giving such determination to kidnapping, we got around bringing of national legislation to conformity with international norms even nearer than countries of European Union. If in swing majority from them all are sent to the fight against kidnapping, the laws of countries-members of EU are limited to only trading people with the aim (force) of prostitution and sexual exploitation, then other real forms of kidnapping are envisaged in our legislation. It costs to mark that experience of the European states gives to us the row of factors that it follows to take into account for effective counteraction to kidnapping. In particular, to them we take next grounds:

- it is an improvement of legislation taking into account the European standards;

- it is increase of level of awareness of citizens about a possible task to the risk;

- it is the satisfactory financing of organs of internal affairs;

- to greater efficiency in a fight against the organized crime and kidnapping also introduction of specialization would promote on this line in the office of public prosecutor and courts at regional level [1].

- it is Input of the programs from safe integration and migratory processes;

- it is necessary to provide rehabilitation courses for persons, that became the victims of such type of crime

- the most essential moment is an input of the single system of the European countries for realization of active counteraction to trading in people.

### **Список використаних джерел**

1. Дядюра К.О. – Засоби протидії торгівлі людьми: міжнародно-правовий досвід  
file:///C:/Users/dom/Downloads/FP\_index.htm\_2007\_2\_11.pdf.

2. Буреш І. В. – Європейський досвід державного управління з протидії торгівлі людьми.

3. Лукач Н.М. – Концептуальні засади запобігання та протидії торгівлі людьми в Україні. file:///C:/Users/dom/Downloads/249-

%D0%A2%D0%B5%D0%BA%D1%81%D1%82%20%D1%81%D1%82  
%D0%B0%D1%82%D1%82%D1%96-445-1-10-20161010%20(1).pdf.

4. Войціховський А. В. – Діяльність Європейського союзу щодо протидії торгівлі людьми [http://nbuv.gov.ua/UJRN/Pib\\_2016\\_2\\_5](http://nbuv.gov.ua/UJRN/Pib_2016_2_5).

5. Белянська Ю. Є. – Торгівля людьми сучасний прояв рабства [https://ukrlogos.in.ua/documents/20\\_03\\_2018\\_54.pdf](https://ukrlogos.in.ua/documents/20_03_2018_54.pdf).

6. Святун О. – Діяльність Європейського Союзу щодо протидії сучасним формам рабства [http://nbuv.gov.ua/UJRN/evrpr\\_2013\\_1-2\\_14](http://nbuv.gov.ua/UJRN/evrpr_2013_1-2_14).

**Проценко А.,** здобувач ступеня вищої освіти  
Національної академії внутрішніх справ  
**Керівник з мови: Могилевська В.**

## COMBATING VIOLENCE IN SOUTH AFRICA

Violence extremely forceful actions that are intended to hurt people or are likely to cause damage. Violence can include bullying, child maltreatment, community violence, domestic and intimate partner violence, school violence, sexual abuse and sexual violence, sex trafficking, teen dating violence, prevalence. Violence is a global phenomenon. More than a million people die each year as a result of self-directed, interpersonal or collective violence. This makes violence one of the leading causes of death for people aged 15 to 44 years, accounting for 14% of deaths among males and 7% of deaths among females. More than one third of these deaths are caused by homicides. High rates of intentional homicides have often been associated with extreme levels of inequality. South Africa is among the countries with the highest inequalities worldwide – and high rates of violence. For the reporting period from April 2014 to March 2015, South Africa's national crime statistics reveal that there had been 17,805 murder cases in the country, with the highest murder rate (per 100,000) in the Western Cape (52), followed by the Eastern Cape (49), Kwazulu-Natal (35) and the Northern Cape (35). The lowest murder rate was recorded in Limpopo (14). The national murder rate stands at 33 per 100,000 – up from 30 three years ago. Violence and crime are concentrated in the urban centres, like Johannesburg and Cape Town.

In 2015, the Dialogue Forum for Evidence-Based Programs to prevent violence against women and children was established to foster collaborative relationships between researchers, practitioners, and policymakers involved in violence prevention in South Africa. Since then, the Forum's participation has grown to include seven government departments, academics, NGOs, and a major private-sector buy-in. The Dialogue Forum demonstrates how actors from the public, non-profit, and private sectors can share knowledge and collaborate to achieve the shared goal of reducing and preventing violence.

Research suggests that violence and risk may be transferred across generations, and that interventions need to focus on teaching and enhancing

the capacity of family members to understand the implications and consequences of their actions on others and how these are transferred to children. Many women are victims of domestic violence. Still, concrete figures are lacking, because domestic violence is not codified as a separate criminal offence in the South African legal system. Therefore it remains hidden in the statistical figures regarding assault. Women and children are especially prone to becoming victims of violence: According to a study by the MRC, every six hours a woman is killed in South Africa. A study undertaken in Gauteng in 2010 revealed that only one in 25 rapes had been reported to the police. One quarter of women questioned in the study had been raped in the course of their lifetimes. It also shows it's important for family members to be able to appropriately communicate and express their emotions; respect fellow human beings and the environment; and to especially value women and children in the family so as to prevent all forms of violence.

According to the World Health Organization, witnessing violence in childhood makes one 3.8 times more likely to be a victim of domestic violence later in life, while living in a high crime neighborhood makes one 5.6 times more likely of the same.

Many researchers on violence concur that the core of the problem of violence and crime in South Africa is a culture of violence, which needs to be seen and understood in the context of an extremely violent past. A culture of violence means: a majority of children and young people grow up in an environment in which violence is part of daily life such as:

- Violence within families, between parents, and parents being violent towards their children;
- Violence at school and on the street, on TV and other media, video games glorifying violence;
- Violence as a means to deal with one's feeling of inferiority or as a means to create a feeling of belonging, for instance to a youth gang;
- Violence of men against girls and women as part of expressing one's masculine identity;
- Violence which has been considered by people supporting apartheid, and people fighting against it, as a 'legitimate means' to achieve one's political purposes over decades.

In a culture of violence, violence is seen as a normal and inevitable part of daily life. This can and needs to be changed, step by step. The nation has been galvanized – across communities, government, civil society, religious groupings, the judiciary and Parliament – to end the crisis of violence perpetrated by men against the women of our country. It has been a truly united and determined response from all South Africans. Through building social compacts across society to fight this scourge, government will be able to achieve much more. Government implemented an emergency action plan and reprioritized R1.6 billion to support this plan until the end of the current financial year. Government will amend the Domestic Violence Act, 1998 (Act 116 of 1998) to better protect victims in violent domestic

relationships and the Sexual Offences Act to broaden the categories of sex offenders whose names must be included in the National Register for Sex Offenders, and it will pass a law to tighten bail and sentencing condition in cases that involve GBV.

To significantly reduce violence and harm in South Africa, the police should expand the strategy in three ways: focus on murder hot spots, tackle domestic violence effectively, and implement targeted and evidence-based interventions.

#### **Список використаних джерел**

1. Tackling Violence in South Africa: The Context. URL: <https://www.saferspaces.org.za/>.

2. South African Government. URL: <https://www.gov.za/>.

3. Glimmers of Light: Opportunities for Preventing Violence in South Africa. URL: <https://www.wilsoncenter.org/>.

4. Violence in South Africa: the search for root causes. URL: <https://theconversation.com/>.

*Прядка В.*, курсант Національної академії внутрішніх справ  
**Консультант з мови Марченко І.**

### **MILITARY POLICE ON BUFFALOS**

Military Police (Portuguese: Polícia Militar), also known as PM, are the preventive state police of the states and of the Federal District in Brazil. The Military Police units, which have their own formations, rules and uniforms depending on the state and the Federal District, are responsible for ostensive policing and the maintenance of public order. Detective work and forensics are undertaken by a state's Civil Police.

All state Military Police and Military Firefighters Corps are classed as reserve troops and ancillary forces of the Brazilian Army [2]. In time of war (or other emergencies) the military police forces can be pressed into federal service. They remain distinct from the provosts belonging to the other services within the Brazilian Military: the corps Army Police for the Army, Police Company of the Naval Battalion for the Navy, and Air Force Police for the Air Force.

In 2004 the National Public Security Force was created to handle any significant security crisis. The unit, which is composed of the most qualified Military Police personnel from all federal states, can only be deployed through the express command of a state governor.

Marajo is the largest island in Brazil, such as Switzerland. The Marajó Coast is a scenic combination of lush mangrove groves and gorgeous sandy beaches surrounded by royal Amazonian palms. The main part of the island is occupied by numerous cattle ranches and hacienda, where situated the largest buffalo's farms. This isn't story about island; this is story about brave policemen on buffalo. What could be dangerous than an armed guy on a buffalo? The patrols in these regions are so interesting,

because the military police use non-traditional for modern military vehicles. As far as we know, this island has impassable roads, so police officers have to use animals. Marajo is a quite island, but it is not exception the drug business. The military police search and check everyone who will be stranger or offender.

In the state of Amazonas, patrols have been conducted by buffalo during 10 years. Buffalos can get to the territory where vehicles and horses can't. Police officers use special devices for control this animals - rope «construction», which is carried through the nostrils of the animal. This device is very ancient and simple. The saddle on the broad back of the buffalo is made for comfortable riding. A whip is used to control the speed of the buffalo [1] .

A police officer must always have a flawless appearance and police buffalo is not an exception. Police officers use special oil to get gloss for horns. Also they check buffalo's hooves and put on protective equipment. Police officers organized special meals with vitamins for buffalos. Buffalos use not only for comfortable riding but for protect police officers from wild Amazonas animals.

The Brazilian military police have been using buffaloes as a means of transportation about 30 years and are not going to stop using these animals in their daily service.

The starting point of patrolling is the military unit territory. Traffic jams are common accident on Marajo's roads through the buffalos. Despite the slowness of the buffalo, they can go up to 40 km per hour.

The main places of transportation and delivery of drugs are seaports. Most of the carriers are taxi drivers, motorcycle riders and even ordinary citizens on bicycles. Consequently, the military police pay attention to the traffic offenders than others. Also police officers can use weapon when they suppose that the offenders have drugs or others illegal items.

Such an unusual transport for movement as buffaloes can also be used for service in the military police. They are very practical in swampy and other difficult-to-pass places, where other means of transport and people cannot cope. The buffalo is not whimsical, unlike horses to cleanliness; he feels quite comfortable in the mud, swims well, lends itself to training and is not inferior in speed. Also, the very sight of a buffalo is already frightening, since these animals have horns up to 2 meters long, weighing up to a ton and their presence on the island 450 thousand. Such experience can be adopted by most countries with rugged places and swampy regions, as well as where it is bad industry and undeveloped roadways.

#### **Список використаних джерел**

1. URL: [https://en.wikipedia.org/wiki/Military\\_Police\\_\(Brazil\)](https://en.wikipedia.org/wiki/Military_Police_(Brazil)) (дата звернення 3 жовтня 2020).

2. URL: <https://topwar.ru/158843-rogoe-patruirovanie-voennaja-policija-brazilii-ispolzuet-bujvolov.html> (дата звернення 3 жовтня 2020).

*Пряха А*, курсант Національної  
академії внутрішніх справ  
Консультант з мови: *Драмарецька Л.*

## **THE FEATURES OF THE US POLICING**

Every country in the world has its own law enforcement system but it is presented differently and sometimes has very interesting local features.

Policing in the United States is conducted by around 18,000 federal, state, local and city departments, all with their own rules. Every state has its own nomenclature for agencies, and their powers, responsibilities and funding vary from state to state. The US police have the following units: state police, state bureau of investigation, campus police, park police, Coast Guard, special police, military police and etc. The main police functions are: order maintenance (this is the broad mandate to keep the peace or otherwise prevent behaviors which might disturb others. This can deal with things ranging from a barking dog to a fist-fight), law enforcement function (those powers are typically used only in cases where the law has been violated and a suspect must be identified and apprehended. Most obvious instances include robbery, murder, or burglary. This is the popular notion of the main police function, but the frequency of such activity is dependent on geography and season), and service (services may include rendering first aid, providing tourist information, guiding the disoriented, or acting as. Because police agencies are traditionally available year-round, 24 hours a day, citizens call upon police departments not only in times of trouble but also when just inconvenienced).

An interesting feature is the so-called community policing or community oriented policing (COP). It is because the most effective way to achieve public safety in local communities results from police and community members working collaboratively to create public safety. "Community policing" is defined as a police strategy that utilizes local partnerships and greater decision-making authority among street-level officers in an effort to solve community problems. This tactic arose during the 1980s and, by 1997, 85 percent of police departments had implemented some form of community policing. Community policing reduces crime and fears of crime as well as perceptions of policing discrimination. At the same time, it increases public satisfaction of police and increases positive attitudes toward officers. Community policing requires departments to go beyond specialized units and leadership periodically attending community events. Community policing's main goal is to assist the public in establishing and maintaining a safe, orderly social environment. While apprehending criminals is one important goal of community policing, it is not necessarily the most important goal. Community policing is concerned with solving the crimes that the community is concerned about by working with and gaining support from the community. The most effective solutions include dialogue between police, government resources, citizens, and local business to address the problems affecting the community. Police

communicate with the community in variety of ways, including polls or surveys, town meetings, call-in programs, and meetings with interest groups. They use these connections to understand what the community wants out of its police officers and what the community is willing to do to solve its crime problem.

The structure of the community policing organization differs in that police assets are refocused with the goals of specific, written rules to give more creative problem-solving techniques to the police officer to provide alternatives to traditional law enforcement. Common methods of community-policing include:

Encouraging the community to help prevent crime by providing advice, giving talks at schools, encouraging neighborhood watch groups, and a variety of other techniques.

Increased use of foot or bicycle patrols.

Increased officer accountability to the communities they are supposed to serve.

Creating teams of officers to carry out community policing in designated neighborhoods.

Clear communication between the police and the communities about their objectives and strategies.

Thus, community service may include providing information and/or assistance to people in need, as well as offering youth education and coordinating community outreach efforts. In many communities, police officers network to establish partnerships between residents and the law enforcement agency. Community-oriented policing seeks to address the causes of crime and to reduce fear of social disorder through problem-solving strategies and police-community partnerships. Typically, it involves a greater use of foot and bicycle patrols and frequent meetings with community groups. This is very important for the state to keep in touch with people and have their trust.

#### **Список використаних джерел**

1. Community policing. URL:  
[https://en.wikipedia.org/wiki/Community\\_policing](https://en.wikipedia.org/wiki/Community_policing).
2. Law enforcement in the USA. URL:  
[https://en.wikipedia.org/wiki/Law\\_enforcement\\_in\\_the\\_United\\_States](https://en.wikipedia.org/wiki/Law_enforcement_in_the_United_States).
3. The role of police in America. URL:  
<https://www.charleskochinstitute.org/issue-areas/criminal-justice-policing-reform/role-of-police-in-america/>.
4. Bureau of justice statistics. URL:  
<https://www.bjs.gov/index.cfm?ty=tp&tid=81>.
5. Archive. URL: <https://www.fbi.gov/>.

**Радченко О.**, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Василенко О.**

## **INTERACTION PUBLIC AND POLICE IN CRIME PREVENTION: FOREIGN AND UKRAINIAN EXPERIENCE**

Foreign positive experience in crime prevention can be used in domestic law-making and law enforcement practice in Ukraine. It is necessary because of the following reasons:

1) strengthening the effects of preventive activities of law enforcement agencies through the participation of citizens in the detention of criminals and offenders, law enforcement, providing information about crimes committed;

2) economic benefits, which are to save budget funds through the use of free assistance to citizens in crime prevention;

3) optimization of time, forces and tools of police officers that allows to focus attention on more important issues of law enforcement;

4) the cooperation of various social institutions and crime prevention individuals;

5) increasing the citizens' trust in public authorities in general and law enforcement agencies in particular.

Moreover, according to the Law of Ukraine "On the National Police" of 2015, the main criterion for the effectiveness of the National Police is the level of public trust to them [4], which is determined by conducting regular independent opinion polls.

The Concept of Criminal Justice Reform in Ukraine, approved by the Decree of the President of Ukraine of April 8, 2008 №311 / 2008 [5] can be considered the first attempt to normatively define the principles of law enforcement activities of a new type, which pays due attention to the interaction of law enforcement agencies with the public, as well as the social and service orientation of law enforcement agencies. However, the main provisions of this Concept are just beginning to be implemented. This concerns the reform of the Ukrainian police and its transformation into the National Police; normative consolidation of the obligatory consideration of the level of trust of citizens when assessing the effectiveness of the activities of police bodies, etc. After organizing the work of the patrol police in Ukraine, the level of the trust is in the range of 50-80% in different cities [2]. Moreover, according to sociological institutions, every 4th Ukrainian takes a direct or indirect part in the anti-terrorist operation [3].

At present, there is a process of greater involvement of citizens in crime prevention activities; for example, the volunteer movement is very common. Some achievements can be noted only in the military sphere and anti-corruption activities. Thus, with the beginning of the anti-terrorist operation in Donetsk and Luhansk regions in 2014, there was a revival of the volunteer movement.



In addition, in recent years there has been a positive trend in the expansion of corruption prevention entities at the expense of public organizations and individuals. Currently, there are about 200 public organizations in Ukraine, the purpose of which is to form a state anti-corruption policy and limit corruption risks in the activities of various public authorities and local governments. Certain grounds for preventing corruption with the help of citizens were included in the Law of Ukraine "On Prevention of Corruption" in 2014. For development of civil society in Ukraine, the creation of appropriate frameworks for increasing public participation in the prevention of crime and corruption must be implemented. This requires, firstly, regulatory framework that will allow more active involvement of citizens in law enforcement, and, secondly, the relevant management decisions of the heads of central executive bodies, including criminal justice authorities.

In the United States, the activities of public patrols "Guardian Angels" are widespread. They include only volunteers, without the participation of police. Their appearance is almost indistinguishable from that of the police, except for the absence of service weapons. The efficiency of these patrols is high, as indicated by the reduction of general crime in the area of their operation to 30% [1]. The creation of such patrols in Ukraine with the appropriate amendments to the current legislation would improve the crime situation in many regional centers of the state. Such patrols could become the "eyes and ears" of Ukrainian police and facilitate the prompt intervention of law enforcement officers in conflict situations or the apprehension of criminals on the "hot trail". In order to encourage citizens to provide information about persons suspected of committing a crime or who are wanted, it is necessary to supplement the Law of Ukraine "On the National Police" 2015 with provisions on monetary incentives for informants who provided information about the crime or criminal, wanted by law enforcement agencies.

But, unfortunately, this experience was not used properly. This was hindered, firstly, by the lack of political will, the relevant management decision of the leadership of law enforcement agencies at the regional level, as well as the proper state funding of the presented prevention programs. Secondly, there was no desire of the community itself to use the positive foreign experience, which provides an increase in the level of security in the area of residence and a significant reduction in criminal situation in the state.

#### **Список використаних джерел**

1. Ангелы-хранители подземки: в Нью-Йорке добровольцы патрулируют метро. URL: <http://4army.com.ua/kozhen-chetvertijukrayinets-zajmayetsya>.

2. Рівень довіри до нової патрульної поліції більш ніж удвічі вищий, ніж до старої міліції – опитування. URL: <http://www.unian.ua/society/1151178-riven-doviri-do-novoji-patruлноji-politsiji-bilsh-nijudvichi-vischii-vischii-nij-do-staroji.html>.

3. Кожен четвертий українець займається волонтерством. URL : <http://4army.com.ua/kozhen-chetvertij-ukrayinets-zajmayetsyavolonterstvom>.

4. Про Національну поліцію : Закон України від 2 липня 2015 р. №580- VIII. *Відомості Верховної Ради України*. 2015. № 40–41. Ст. 379.

5. Про рішення Ради національної безпеки і оборони України від 15 лютого 2008 року «Про хід реформування системи кримінальної юстиції та правоохоронних органів» : Указ Президента України від 8 квіт. 2008 р. № 311. 2008 . *Офіційний вісник України*. № 27. 2008. Ст. 838.

*Ражик А.*, курсант Національної академії внутрішніх справ  
**Консультант з мови: Хоменко О.**

### **SYSTEMS THAT OVERCOME CRIME**

The relevance of the research in this area is due to the fact that during the last decade there has been a growing trend of crime around the world. Moreover, at the same time, there has been the lack of measures of social and legal control from the growing criminalization of public relations.

Crime depends on the income level of certain groups of countries. Crime is declining in high-income countries. Countries like the USA and the EU member states. On the other hand, in countries with the low-income the crime is increasing. For instance, such tendency we can observe in African countries.

Serious crimes start with minor offenses. The effectiveness of the New York concept of the theory of broken windows reduced crime by 65 percent. In 1994 New York City Mayor R. Julian immediately began fighting crime because in the 1980s there were more than 1,500 serious crimes daily [4]. The meaning of this theory is revealed in such a way that trifles like broken windows or graffiti on the walls are crucial importance in committing offenses in megacities. Feeling impunity for illegal actions, citizens begin to break the law and order more actively. Observations prove that even one broken window in the porch, house or apartment will soon lead to breaking windows as a norm; hence, it will lead to an increase in the number of serious offenses. Basically, the theory of broken windows is an epidemiological theory of crime, according to which crime is just a contagious epidemic which must be fought. The content of this concept was primarily the fight against such seemingly minor violations as graffiti on the walls and ticketless travel of passengers. Thus, none of the subway car could leave if there was at least one inscription on it. All drawings were immediately erased or painted with fresh paint in order to bring to the attention of vandals a clear message: no one will see their drawings.

Therefore, a victorious approach in the field of combating crime began with the New York subway.

As part of an unprecedented fight against crime, New York City police have taken a tough stance on petty offenders, arresting anyone who paints walls or violates public order. The crime rate has also decreased due to the introduction of the innovative information system "CompStat" in the police activities. In the 1990s it was based on the following four main components: collecting information, prompt response, defining tough countermeasures and generalization of the results of the carried out work. Currently, the system is improving and in 2016 the police had the entire base of crimes in their smartphones.

In Japan the strategy of "community policing" spread quickly and became nationwide in the 60's of the twentieth century.

The essence of Community Policing is to establish a partnership between the police, the community and local authorities, where everyone is aware of their responsibility for their own safety, and the police are based on the specific needs of citizens in their activities.

This system is practical for several reasons:

1) significant savings of time, effort and police tools which will allow them to transfer their attention from secondary to more important production issues of law enforcement;

2) savings of budget funds from the use of voluntary and, most importantly, free public assistance;

3) strengthening the interaction of various social institutions and subjects of crime prevention;

4) increasing public confidence in law enforcement agencies.

Crime Prevention Associations were first established in Japan and they are still operating in police stations. The main forms of work of these organizations include: a) informing the police about crimes which are committed on the service area of a particular police station;

b) educational activities among citizens [2, c. 159–161].

And one of the most numerous public organizations is the Federation of Crime Prevention. It consists of 50 associations at the prefectural level, 1,200 district departments working at police departments, and also 410 thousand local departments which are created on the basis of police departments. Similar to the USSR in Japan there are also voluntary public patrols [3, c. 51].

The high efficiency of the Japanese police can also be attributed to the fact that in most cases police officers live in booths (posts), in their separate rooms with their families. Close cooperation is achieved with residents of the local community thanks to the constant presence of a police officer at his place of work which coincides with the place of actual residence.

Based on the experience of the United States and Japan the efficiency of the police on a high level is due to close cooperation with the

public and also it as based on the general nature of the population. In New York it is advisable to accelerate the development of the State Crime Prevention Program in order to consolidate a set of measures aimed at eliminating the scale, causes and

prerequisites for committing criminal offenses. In order to maintain a secure level in Japan it is important to have a general social approach of crime

prevention, which is manifested in the fight against poverty. Also, it solves the issue of employment especially for young people and state support of socially vulnerable groups of the Japanese population, as well as establishing effective cooperation between law enforcement agencies and central and local executive authorities in this area.

#### **Список використаних джерел**

1. Гребенюк М. В. Американська модель запобігання злочинності (на прикладі роботи поліції міста Нью-Йорка). URL: <http://pbz.nlu.edu.ua/article/viewFile/157068/156376>.

2. Кноема. URL: <http://knoema.ru/atlas/Япония/topics/Преступность>.

3. Уголовная политика в Японии / О. А. Белявская. *Актуальные вопросы борьбы с преступностью в России и за рубежом*. М., 1992. Вып. 7. 56 с.

4. Wood A. Japan May Offer A Way Forward For Better Community Policing in Bibb County / A.Wood. URL: <http://maconmonitor.com/2015/03/26/japanese-kobans-community-policing>.

**Ратошнюк А.**, курсант Національної академії внутрішніх справ  
**Консультант з мови: Василенко О.**

#### **TURKEY'S EFFORTS IN COMBATING ORGANIZED CRIME**

Organized crime has become a serious concern for the entire global community. The era of globalization has transformed the world into a new social order characterized primarily by the unrestricted movement of goods and factors of production along national borders. The globalization of society and the advancements in transportation and communication technologies have provided various opportunities not only for the prosperity of our societies, but also for the criminal world as well.

Availing themselves of these advancements, organized crime syndicates have become a major challenge for the international community. It can even be said that organized crime has become among the top non-military threats to international security and stability. We know the various types of organized crime such as terrorism, illicit trafficking in narcotic drugs and psychotropic substances, trafficking in human beings, small arms,

radioactive materials and even weapons of mass destruction. Needless to say, organized crime in all its forms, possesses a serious threat to the health, security and welfare of human beings, and adversely affects the economic, cultural and political foundations of society. So, combating international organized crime is one of the major challenges for the international community.

For many years, Turkey was a model country in the Middle East for its potential to combine Islam and democracy. The most exemplary period was starting with the early 2000s when this country begins serious fight against organized crime groups. This period was marked by the elimination of organized crime groups and the seizure of large amounts of smuggled materials.

Studying the history of crime in Turkey, we can say that this country suffered the most during Erdogan's rule. But, to my mind, it is more important to explain what are the positive aspects of the fighting organized crime.

Combating organized crime need for: • creating coordinated comprehensive national strategies, • quick exchange of information and experience among the law enforcement officers and other criminal justice officers, • cooperating in the area of border security, • and creating public awareness on transnational crime as a national security threat in order to enlist citizens participation in combating organized crime.

Also it is important to cooperate to put an end to various forms of organized crimes by acceding to international instruments, it is also an important step. "The United Nations Convention Against Transnational Organized Crime" and its three Protocols are among such international instruments. Turkey is party to the said Convention and its Protocols.

Bilateral agreements for cooperation against drug trafficking, terrorism and organized crime do also have significant importance. Turkey has concluded such agreements with more than 70 countries. Turkey is also party to certain regional cooperation efforts in the fight against organized crime in the Balkans and Black Sea regions, such as the Stability Pact, the South East European Cooperative Initiative (SECI), the Black Sea Economic Cooperation (BSEC).

In addition, the "Agreement on Cooperation between the European Police Office and the Republic of Turkey" has entered into force as of July 2004.

Besides, as a country which has achieved great success in the fight against organized crime and illicit drug trafficking, Turkey has lead a national initiative aimed at setting up an infrastructure to carry out efforts at the international level. Within this framework, the Turkish International Academy Against Drugs and Organized Crime (TADOC) was founded in Turkey with the cooperation of the United Nations Office on Drugs and Crime. Since its establishment in 2000, more than 1600 national and international law enforcement officers have participated in the training and seminar programs organized by TADOC.

As a conclusion it can be noted, that over the last years, Turkey has shown impressive results in the interdiction of illicit drug trafficking, and has introduced new legislation and operational structures against drug related organized crime and money-laundering. In my opinion, our country also can create similar educational structures such as TADOC and pay more attention to the fighting organized crime.

**Список використаних джерел**

1. Turkey's efforts in combating organized crime. URL: [http://www.mfa.gov.tr/turkey\\_s-efforts-in-combating-organized-crime.en.mfa](http://www.mfa.gov.tr/turkey_s-efforts-in-combating-organized-crime.en.mfa).

2. URL: <https://www.unodc.org/southeasterneurope/en/tur/g36.html>.

3. Cengiz M., Karademir S. The Impacts of Authoritarianism on Organized Crime in Turkey. URL: <https://smallwarsjournal.com/jrnl/art/impacts-authoritarianism-organized-crime-turkey>.

**Ренік І.**, курсант Національної  
академії внутрішніх справ

**Консультант з мови: Драмарецька Л.**

**FIGHT AGAINST FOOTBALL HOOLIGANS**

Football hooliganism or soccer hooliganism is disorderly, violent or destructive/behavior/perpetrated/by/spectators/at association=footballevent s. Football hooliganism normally involves conflict between gangs, in English known as football firms (derived from the British slang for a criminal gang), formed to intimidate and attack supporters of other teams. Disorderly behaviour has been common among football supporters since the birth of the sport, but it is only really since the 1960s that it began to be perceived as a serious problem. Vigorous efforts by governments and the police since then have done much to reduce the scale of hooliganism.

Conflict may take place before, during or after matches. Participants often select locations away from stadiums to avoid arrest by the police, but conflict can also erupt spontaneously inside the stadium or in the surrounding streets. In extreme cases, hooligans, police, and bystanders have been killed, and riot police have intervened. The principal difficulty for the police in dealing with football hooliganism has been in differentiating between the hooligan and the ordinary football supporter. This difficulty led to the police developing a system whereby all fans were contained, both inside the ground and in travelling to the ground. At the same time, the second primary strategy of the police was the undercover operation: an attempt to ascertain who exactly the hooligans were.

The English Football Association recommended that plain clothes officers be used in the domestic game as far back as the mid-sixties and requests for the police to infiltrate travelling supporters with plain clothes

officers were also made by the Football Association in 1981. Officers were given new identities and instructed to live the life of a hooligan and mingle with other hooligans. These tactics resulted in the launch of numerous early morning raids on the homes of suspected football hooligans from around March 1986. Armstrong and Hobbs detail a familiar pattern in the arrest and charging of suspects in these raids.

On most occasions, individuals arrested in these raids were charged with conspiracy to cause affray or conspiracy to commit violence, with what they had said to the police and what the police had found in their homes being used as the primary evidence against them. Many of the raids resulted in high-profile trials and convictions.

**Containment and escort.** A common sight in the seventies (and for much of the eighties) was that of the police escorting visiting supporters from railway and coach stations to and from the ground. Fans were literally surrounded by police, some on horseback and others with police dogs. In contrast, the nineties have seen the use of the less confrontational tactic of posting officers at specified points en route to the ground.

This is, perhaps, more to do with the recent circumstances of away fans than with the police entirely changing their tactics. It has certainly been the case that travelling away support has dwindled, to the extent that the familiar en masse arrival of football fans at British Rail stations around the country on Saturday lunchtime is, perhaps, a sight of the past. The police, however, have still been heavily criticized in some quarters for an over-zealous approach in dealing with travelling supporters, such as conducting unnecessary searches of coaches for alcohol and even searching supporters' belongings in their absence, though in a recent fan survey, only 20.7% of supporters disagreed with the use of police escorts, stressing their use as effective protection for away fans.

**Inside the ground.** The visiting (or 'away') fans were invariably herded into grounds via separate turnstiles and into areas where they were segregated from the home support. These isolationist operations were often emphasized by a line of police officers separating the home and away fans in a sort of "no man's land" and by the high metal fences which surrounded these fan pens, an attempt to prevent fans from spilling onto the football pitch itself.

The police have also been commonly used at the turnstile. Traditionally, this has been a law-enforcement role, with the emphasis on preventing illegal entry into the ground, enforcing exclusion orders and searching supporters for weapons and other prohibited articles.

But they have also been used by clubs to enforce club policy and ground regulations, such as enforcing club bans and membership schemes and deterring fraud by turnstile operators. More recently, the role of the Steward has come to the fore at football grounds, which has partly relieved the responsibilities of the police in this area.

**Police tactics at grounds.** While the use of en masse containment alongside covert detective operations has been the basic pattern of policing

football hooliganism, police tactics can vary considerably at individual football grounds, as indeed they do on other matters. Such tactics can depend on various factors including the prospective size of the crowd, the relative profile of the particular match, the reputation of the supporters involved and the priorities of the local force involved.

#### **Список використаних джерел**

1. Policing introduction. URL: <http://people.exeter.ac.uk/watupman/undergrad/rowlands/policingintroduction.htm>.
2. Football hooliganism. URL: [https://en.m.wikipedia.org/wiki/Football\\_hooliganism](https://en.m.wikipedia.org/wiki/Football_hooliganism).
3. Police service. URL: <http://www.sirc.org/publik/fvtackle.html>.

**Романова Ю.**, курсант Національної академії внутрішніх справ

**Консультант з мови: Скриник М.**

### **MODERN WAYS OF SEARCHING FOR MISSING PERSONS IN THE UNITED STATES**

Finding a missing person is an important task for the police. US police are the lead in managing and investigating a missing person's case, including taking the initial missing persons report. Wanted persons often travel to another country to try to evade justice. Missing persons can also travel abroad, either voluntarily or involuntarily.

U.S. Department of Justice efforts to improve the investigation of missing and unidentified persons began with a push by NIJ in 2003 to maximize the use of DNA technology. NIJ expanded its efforts in 2005 with the Identifying Missing Persons Summit. In 2007 it launched the "unidentified persons" database, and in 2008 the "missing persons" database was created. Those databases were connected in 2009, creating the National Missing and Unidentified Persons System, or NamUs. NamUs has resolved more than 17,000 missing persons incidents and nearly 3,706 unidentified persons cases [1].

The first 48 hours are critical because that's when investigators have the best chance of following up on leads, before people's memories start to fade. Public assistance plays a large role in the search. Therefore, the information received by law enforcement must be accurate to find a person [2].

US Law enforcement chooses how they will allocate resources to missing persons cases on a "case-by-case basis. Investigations on missing persons who authorities believe may be vulnerable (such as children and those with a mental illness) are expedited because time is of the essence to get the word out to the public to look for them. For adults who are reported



missing, one of the things investigators look to first is whether the subject was displaying a-typical behavior [2].

Police do their best with the resources they have, but US law enforcement simply is not equipped to deal with the crime rates today. Anyone who wants real answers – often turns to a private investigator [3].

A search of the place where the individual has gone missing from and/or the home address should be conducted in all cases unless there are specific reasons why this should not happen. The extent and intrusiveness of a search will be dictated by the circumstances of a case and officers should consider the purpose of the search. All searches should be fully documented. The search must be conducted with compassion (2).

The U.S. Police Department uses additional resources to support the search for missing persons. Guidance on the search for vulnerable missing people (children and adults) and the investigation of suspicious missing person cases is available within the Specific Investigations APP page. It may be: the Fire and Rescue service; volunteer search teams; the Maritime and Coastguard Agency; the Aeronautical Rescue Co-ordination Centre.(2)

The first few hours of an investigation are the most critical, each passing hour decreases the likelihood of finding the subject. Platform to find missing persons automates common tasks of an investigation providing in minutes what used to take hours or days, considerably improving the chances of a successful investigation. This is a free platform that will make policing easier in the future.

So there are many opportunities in the United States to search for missing people. The work of law enforcement agencies is facilitated by automated systems, programs, public assistance and the media. You can also turn to private detectives.

#### **Список використаних джерел**

1. Searching for the Missing in a City of Millions. URL: <https://nij.ojp.gov/topics/articles/searching-missing-city-millions>.

2. Why the first 72 hours in a missing persons investigation are the most critical, according to criminology experts. URL: <https://abcnews.go.com/US/72-hours-missing-persons-investigation-critical-criminology-experts/story?id=58292638>.

3. Missing Persons Investigation. URL: <https://www.pinow.com/investigations/missing-persons>.

4. Missing Persons Investigation. URL: <https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/missing-persons/missing-person-investigations/>.

**Романюк А.,** здобувач ступеня вищої освіти  
магістра Національної академії внутрішніх справ  
**Консультант з мови: Марченко І.**

## **VIOLENCIA DOMESTICA EN ESPAÑA**

El 25 de noviembre es el Día Internacional para la Eliminación de la Violencia contra la Mujer. El evento rinde homenaje a las hermanas Maribel, que fueron brutalmente asesinadas por un dictador en República Dominicana en 1960. El propósito de este día especial es, por un lado, llamar la atención sobre la desigualdad y la violencia sexual y, por otro, exigir que los Estados las eliminen.

En España, lamentablemente, la violencia prospera. En 2019, 55 mujeres murieron a manos de parejas actuales o anteriores. Según estadísticas oficiales, 1.024 mujeres españolas han muerto en el portal español 'El País' desde 2003 a manos de sus maridos o parejas. [2]

Los conceptos de violencia de género y violencia doméstica a menudo se confunden en el país. La violencia de género es el trato cruel a la mujer dentro de la familia, en el trabajo o en cualquier ámbito social. La violencia doméstica es algo que ocurre en la vida diaria. En este caso, se puede abusar de cualquier miembro de la familia.

Actualmente existen muchas leyes en España para prevenir y combatir la violencia. Por ejemplo:

- ley nacional 24.417 protección contra la violencia doméstica [3]
- ley no. 1674 ley contra la violencia en la familia o domestica del 15 de diciembre 1995 [4]
- ley 30364 ley para prevenir, sancionar y erradicar la violencia contra mujeres y miembros de la familia [5]
- otras leyes.

Un dato interesante es que en España existe una ley que ordena la protección de las víctimas de violencia de género, que obliga a todos los servicios e instituciones sociales públicas y privadas que hayan tenido conocimiento de casos de violencia de género a notificar a un juez o fiscal de policía, solicitando un caso de extradición. Como vemos, hay muchas oportunidades para combatir eficazmente la violencia, pero en realidad todo está sólo en el papel y no hay acción.

Durante *Kovid-19* en el país, un desarrollo moderno para ayudar a las víctimas de violencia doméstica fue la creación de un plan para ayudar a las víctimas. Ahora las víctimas de violencia doméstica deben ir a la farmacia y pedir protección, pero si por alguna razón no pueden hacerlo abiertamente, las víctimas de violencia deben decir la palabra clave: "máscara 19". También existe una línea directa en España, donde una persona puede acudir a un especialista, quien a su vez brinda la asesoría necesaria, determina el algoritmo para cada caso. Si la situación se sale de control, el especialista llama a la policía.

Así, la violencia no es un problema privado, es una violación de los derechos humanos que afecta a toda la sociedad. Pensamos que valdría la

pena prestar atención no a la formación de diversas leyes en España, sino a su aplicación práctica. Además, la creación de métodos modernos para proteger a las personas de la violencia doméstica.

#### **Список використаних джерел**

1. Apoyo y protección a la mujer en España. 25 de noviembre - día internacional para la eliminación de la violencia contra la mujer URL: <https://espanarusa.com/ru/pedia/article/645310>.

2. Violencia doméstica URL: <https://elpais.com/noticias/violencia-domestica/>.

3. Ley nacional 24.417 protección contra la violencia familiar URL: <http://www.notivida.net/legnacional/ley%20nacional%2024.417%20proteccion%20contra%20la%20violencia%20familiar.html>.

4. Ley no. 1674 ley contra la violencia en la familia o domestica del 15 de diciembre de 1995 URL: <http://scm.oas.org/pdfs/2010/cim02724t-b.pdf>.

5. Ley 30364 ley para prevenir, sancionar y erradicar la violencia contra las mujeres y los integrantes del grupo familiar URL: <https://www.mimp.gob.pe/webs/mimp/ley30364/sobre-ley-30364.php>.

*Рукоманова Д.,* курсант Національної академії внутрішніх справ

*Консультант з мови: Драмарецька Л.*

### **ON ORGANIZATION OF THE PROOF PROCESS IN ENGLISH CRIMINAL PROCEEDINGS**

The evidentiary process and system of evidence are essential constituent parts of evidence, defining the essence criminal procedure in the UK. Despite the fact that numerous studies of these questions by British scientists are devoted to forensic experts, the problems of proof are vast and deep, and in connection with growth in the level of organized crime, many more questions awaiting their theoretical and practical resolution.

The principles underlying the organisation of the proof process in English criminal proceedings have a particular importance in the process of investigation and solving criminal crimes related to organized criminal activity.

Among the main tasks of the evidentiary process during the investigation of organized criminal activity in the first place is the protection of the rights of a person from unfounded accusations and convictions, the rights of a victim from crime, the rights of all participants in the criminal process and, ultimately, establishing the truth in a criminal case. Achieving these goals is currently provided by the following basic principles process of proof (Generals), which formed the basis of more than one system criminal proceedings and plays a primary role in the fight with organized crime, namely: legality in the proceedings of a criminal case; administration of justice only by the court; respect for honor and personal

dignity; inviolability of the person; protection of rights and freedoms of a person and a citizen; inviolability of the home; privacy of correspondence, telephone and other negotiations, postal, telegraph and other messages; adversarial nature of the parties; ensuring the suspect and the accused of the right for protection; freedom to evaluate evidence; national language legal proceedings; appeal against procedural actions and decisions [1].

Also, from among the general principles of the proof process, British scientists-criminologists emphasize the presumption of innocence; burden of proof; publicity of court hearings; right to silence and duty disclosure of information before defense.

The main purpose of the evidentiary process in cases of organized crime is the establishment of objective truth in the case, which is why other equally important principle of the process of proof is the rule by which justice in England is carried out in an open trial, all information that is subject of court hearings (including names of participants and victims), freely communicated. At the same time, one cannot fail to note the feature that in relation to crimes committed in organized groups, for reasons of national security or other reasons the courts most often hold closed hearings or otherwise restrict disclosure (publication) of this kind of information. Great value for obtaining evidence and establishing the truth in the UK has the duty of the criminal prosecution authorities to open access to the defense available information (including any unused material). In some cases of crime committed by organized groups and from this general rule make specially stipulated exceptions. In turn, the accused (and their defenders) demanding providing them with information, there is an obligation to disclose the content protection. If the accused persons (suspects) do not agree with this, the authorities' criminal prosecution has the right to involve a jury that can conclude unfavorable for the persecuted person.

There is no clearly defined concept of evidence in the UK, but there is a generally accepted opinion that the evidence is all that confirms or refutes facts of interest to the court. Court may, at its sole discretion, divide evidence into admissible and relevant to the case.

Analyzing the content of criminal procedural evidence, British forensic scientists note that it has the property uniformity. This means that even with all the available variety the information received, with the help of which the picture is recreated the crime that occurred, regardless of its form, method, order and the subjects of receipt, all of it will somehow represent any information on the basis of which the presence of or the absence of circumstances to be proved in the proceedings on criminal case, as well as other circumstances relevant to criminal case. Therefore, we can say that the content of criminal procedural evidence is always limited only to information about circumstances of a crime committed as part of an organized group's activity.

Evidence in the UK is a separate branch of law. The importance of the work for the investigation process of crimes committed in organized groups is great. So, firstly, the UK criminal process, despite its sufficient

development, so far in cases of different categories addresses the institution of jurors, which already exists over a hundred years. It is the jurors who decide the question of the guilt of certain persons, and it is they who, first of all, need to prove it [2].

Thus, the process of reforming the criminal procedure in Great Britain significantly affected the principles of proof that, along with the basic principles, include special, inherent only British criminal procedure, traits. However, due to the growth and complication of the mechanisms of organized crime, British forensic scientists are in dire need of data extraction principles from the mass of precedents and detailed scientific analysis each of them, in order to determine the focus of the entire criminal process in the framework of the investigation of organized criminal activity.

Moreover, in addition to the already developed theories and conclusions, scientists insist on the fact that the British scientific community is facing an acute the need to highlight and new principles and mechanisms of the process evidence that could respond quickly and effectively to difficulties arising during the investigation of an organized criminal activity, as well as serve to establish objective truth on business.

#### **Список використаних джерел**

1. Gunn M., Bailey S.H. Smith and Bailey on the Modern English Legal System, Oxford, 2012. С. 123–125.
2. Jacobs A., Masset A. Manual of Penal Proceeding. London, 2010. С. 67.

**Ряба А.**, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Богущкий В.**

### **TERRORIST INCITEMENT ON THE INTERNET**

The internet is an astoundingly robust and dynamic instrument for all manner of communications. It is a platform for an array of webpages, blogs, chatrooms, virtual groups, news media, political forums, advertisement options, cybersleuth sites, revenge spaces, shaming discussion groups, incitement networks, and much more. While many pages on the internet are devoted to civil discourse, others are dedicated to calumnious activities. Along with newspapers and university websites, there are others engaged in cybershaming<sup>1</sup> and cyberbullying [1].

Of even greater social, political, and cultural consequence is the slew of websites committed to the spread of hate against various groups, and in its darkest crevasses are terrorist websites dedicated to inciting violence, recruiting like-minded individuals, and indoctrinating others on the use of political, religious, and otherwise ideological violence. Terrorist speech on the internet poses a threat worldwide. The realm of communications has vastly expanded the delivery of constructive and destructive information. Groups who seek to alter governments' policies and religious practices through havoc, violence, and intimidation are among those who exploit the

cross-border nature of internet protocols and electromagnetic packets. In addition to open propaganda on forums such as YouTube and Facebook, terrorists have increasingly exploited "darknets" to obfuscate and anonymize their activities through networks like Tor, I2P, and Freenet [2]. While all of these are benign tools useful for confidential interactions, privacy, and other legitimate purposes, international criminals-terrorists, counterfeiters, drug dealers, and arms dealers among them – exploit these tools for nefarious purposes.

Terrorist organizations' increasingly diverse use of digital devices vastly expands their reach beyond the scope of traditional modes of communication-conversations, pamphlets, or couriers. The challenge facing government agencies and thinktanks is how to formulate policies, statutes, standards, and regulations for digital platforms that are likely to safeguard the public, while maintaining the constitutional standards of protected speech and privacy.

The internet differs in part from traditional communications because of the great distances that often exist between online speakers and their audiences. Rarely will a statement posted on the internet present an imminent threat of harm. However, traditional spatial and temporal considerations of imminence are insufficient for policy-makers to address internet-based terrorist incitement. Online speech likely will not present any clear or present danger-except in the rare circumstance in which the target of inciteful comments is immediately proximate to the speaker, as if, for instance, an inflammatory message was sent to someone in the immediate vicinity of the sender. Many terrorist threats, calls for recruitment, and virtual meetings are made from remote locations, often from countries other than the location of the audience. Even threats to life and physical well-being might be made to instigate others to take action at some ambiguously designated opportune time.

However, internet companies regularly fail to monitor their communication networks. Reasons they assert for this failure include a robust protection of free speech, the need for fast-paced innovation, the ambiguity of the meaning of hate speech, a commitment to avoid censorship, and the sheer volume of digital information streamed on social networks. A considerable part of this reasoning is fueled by partisan economic interests aimed to increase profits and minimize expenses.

Yet terrorists do not simply speak in symbolic terms but aim to illicit action and trauma. Terror speech seeks to terrorize listeners and to induce criminal conduct. To deal with these threats, a model is needed to deal with hybrid speech. That model has three qualifications: First, the speaker must call for criminal, physical violence.<sup>96</sup> Second, the intended victim must be aware of the threat. Lastly, the threat must be real, not abstract. If these are met, government would be allowed to suppress the nonspeech, coercive terror.

### **Список використаних джерел**

1. Alison Virginia King Constitutionality of Cyberbullying Laws : Keeping the Online Playground Safe for Both Teens and Free Speech. URL:

<https://www.researchgate.net/publication/291154413> (last visited Oct. 27, 2020).

2. The Internet Organised Crime Threat Assessment (IOCTA) 2016.  
URL: <https://www.europol.europa.eu/activities-services/main-reports/internet-organised-crime-threat-assessment-iocta-2016> (last visited Oct. 27, 2020).

**Савчук А.**, курсант Національної академії  
внутрішніх справ  
**Консультант з мови: Лопутько О.**

## **MODERN MECHANISMS FOR ENSURING INFORMATION SECURITY (FOREIGN EXPERIENCE)**

There is a widespread belief among the scientific community that the United States is a leader in information security.

The United States is an example of an established democracy in which a high level of cooperation between civil society and government is an integral attribute of socio-political relations. As already mentioned, the trend of involving non-governmental institutions in management and organizational processes is also present in the information security sector. It can be stated that such steps are one of the defining directions of the US government's security policy. Regulations governing information security in the United States include the National Security Act, the Information Security Management Act, and the Cybersecurity Research and Development Act, and the Freedom of Information Act. Analysing the US legislation in the field of information security, it can be stated that special emphasis is placed on the involvement of non-governmental actors and cooperation with civil society institutions. At the same time, American lawmakers pay special attention to the use of advisory bodies [1].

In general, the main US programs and strategic documents on information security, as well as regulations are characterized by one unifying factor: they all argue that the state in modern conditions is not able to withstand all types of threats in the information sphere, and therefore needs cooperation. both at the international level (with other states) and at the non-state level (with civil society institutions). In particular, one of the main normative documents in this area, the Federal Law on Information Security Management, provides for the functioning of the Advisory Council on Information Security and Confidentiality (advisory board) at the National Security Agency (§ 304). The above-mentioned normative document envisages the involvement of representatives of the public sector (representatives of non-governmental organizations, research institutes, universities, "think tanks", etc.) in the work of the advisory council. The main purpose of the council is public control over the work, establishing effective interaction of these bodies with the public sector [2].

In particular, in the framework of the "International Cyberspace Strategy", which was adopted by the Decree of the President of the United

States, much attention is paid to the problems of respect for fundamental civil rights and freedoms. This is, first of all, the section "Internet freedom: support for fundamental freedoms and confidentiality", which indicates the main activities of the United States [3, p. 185].

Today, the US government promotes the active use of information technology and digital communications to maintain a solid foundation for cooperation, exchange of views and information, review of the electoral process, the fight against corruption and the promotion of civic principles of democracy. As part of this policy, the US government is guided by the goals of providing a favourable environment for the development of constitutional rights and real opportunities for the use of information technology by non-governmental organizations, human rights defenders and journalists. Cooperation with the public sector, in general, and individual organizations in order to increase the level of resilience of society to modern information risks [3, p. 185].

In the United States, government agencies and non-government actors are equally interested in cooperation, which in fact encourages two groups of actors to form the necessary platform. At the present stage, the United States is characterized by a well-developed network of non-governmental organizations based on effective protection against modern information threats. One of the leading American organizations in the information security sector is the International Consortium for Information Systems Security Certification (ISC), which is a non-profit association whose activities are aimed at achieving the highest possible security in cyberspace. It should be noted that in its work the organization covers not only the United States but also countries in Europe and Asia. ISC consists of specialists in the field of cybersecurity, infrastructure security, software. The organization's activities to ensure a high level of information security in the United States concern not only the support of the private but also the public apparatus. These areas of ISC's work are largely based on the information security certification program (namely the data protection and infrastructure segment) of a particular institution/structure/organization [4].

An example of the effectiveness of ISC security is the practical implementation of a non-governmental, non-profit project – the Centre for Cybersecurity and Education. The centre promotes careers in this field by providing scholarships to women, students of higher educational institutions. Countering information threats to the national security of the state is one of the main goals of the project, which is implemented in two main areas:

- research of topical issues of cybersecurity and formation of appropriate recommendations for government agencies;
- promoting the professional development of information security professionals, who later become a source of personnel for the state [4].

A similar field of activity is implemented by the Information Systems Security Association (ISSA), which is a non-profit international organization and unites specialists in the field of information security. The



main tools of the organization are holding scientific conferences, educational forums, publication of relevant materials, as well as creating conditions for interaction between specialists and experts in this field [5].

Thus, the US experience in involving civil society in information security and interaction with the state is based not only on the formation of mechanisms for effective cooperation between government and non-governmental actors, but also on ensuring broad membership of non-governmental actors in security structures. If there is a developed system of non-governmental organizations, public authorities have the necessary sources of resources to implement security policy in the information sphere. An important element in this aspect is the think tanks.

#### **Список використаних джерел**

1. Законодавство та стратегії у сфері кібербезпеки країн європейського союзу США, Канади та інших: інформаційна довідка, підготовлена Європейським інформаційно-дослідницьким центром на запит народного депутата України. Європейський інформаційно-дослідницький центр. URL: <http://euinfocenter.rada.gov.ua/uploads/documents/28982.pdf> (дата звернення: 19.10.2020).
2. The Federal Information Security Management Act. The National Institute of Standards and Technology. URL: <http://csrc.nist.gov/drivers/documents/FISMA-final.pdf> (дата звернення: 19.10.2020).
3. Дубов Д. В. Кіберпростір як новий вимір геополітичного суперництва: монографія. К.: НІСД, 2014. 328 с.
4. About Information Security Education & Certification Leader. URL: <https://www.isc2.org/aboutus/default.aspx> (дата звернення: 19.10.2020).
5. About Centre for Strategic and International Studies. URL: <https://www.csis.org/about-us> (дата звернення: 19.10.2020).

**Саліонова О.**, курсант Національної академії внутрішніх справ

**Консультант з мови: Хоменко О.**

### **CRIME PREVENTION IN DENMARK**

Denmark is a Nordic country in Northern Europe, which shares waters with other Scandinavian countries and a land border with the European continent. This geographical location is attractive to international organized crime groups wishing to smuggle illicit produce into Europe or across Scandinavia [3, p.1].

The majority of serious organized crime affecting Denmark relates to information technology and cybercrime, drug trafficking, property crime and terrorism.

The U.S. Department of State has assessed Copenhagen as being a MEDIUM-threat location for crime directed at and/or affecting official U.S. government interests. Denmark is correctly considered a relatively safe and secure European country with very professional and capable national law enforcement and security services. Between 2017 and 2019, broad categories of reported crime have decreased in some areas. Denmark saw record decreases in burglaries of private homes and businesses alike in 2019, down roughly 17% and 13%, respectively, when compared to 2018 figures. The use of “date rape” drugs, including GHB, continues to be an increasing concern in Copenhagen. Pickpockets, skimmers and other petty criminals continue to operate aggressively at tourist attractions, train stations, and airports, and on public buses commensurate with other popular European tourist destinations [1].

Denmark has recorded a rise in drug-related arrests over the past year, owed in part to increasingly aggressive counter-narcotic measures. Reports of drug sales, smuggling, and other violations of narcotics law increased dramatically in 2018 and 2019. As the only Nordic country with a roadway border with Western Europe, Denmark is an important transshipment point for all types of cargo, including illegal narcotics. Law enforcement continues to observe trafficking in hashish via the large volume of legitimate trucking through Denmark from the Netherlands, Germany, and Spain [1].

Denmark is one of the most digitized countries in the world. Consequently, cyber-crime continues to be one of the biggest threats to the heavily connected public and private sectors. According to the Danish Defense Intelligence Service, “cyber-attacks against Danish public authorities or private companies are to be expected and can potentially have serious political or economic consequences.” Their assessment also warns: “Cyber-attacks may have damaging consequences in the physical world, for instance serious economic losses for Danish private companies or disruption in the availability of critical services, such as electricity. For Danish authorities a cyber-attack can, for example, render systems inoperable or result in the theft or destruction of sensitive or valuable data.”

“Foreign states may use cyber espionage to obtain new technologies or to ensure that their national companies gain a competitive edge on international markets.”

“Cyber espionage may enable theft of intellectual property and sensitive strategic or security policy information; thereby possibly affecting Danish national security, the Danish economy and Danish competitiveness. We expect that the foreign actors will use cyber espionage along with other tools in connection with crises or conflicts” [1].

Danish law enforcement, public safety, and security services are professional, highly trained, well equipped, and effective. Denmark is well-known as a country with very little corruption, and the police are very well trained, professional, and competent. Most police officers are proficient in

English. Response for non-violent crimes may be limited due to labor shortages in the police force [4].

The Danish National Police are a professional police organization with the ability to conduct internal investigations into instances of misconduct or corruption.

The National Police (*Rigspolitiet*) are the primary law enforcement authority in Denmark, Greenland, and the Faroe Islands, and are under the direction of the Ministry of Justice. The National Police develop strategies, support work in the local police districts, and coordinate police operations on a national level.

Law enforcement services in Denmark are provided by the national police, called “Politiet”. Led by a National Commissioner, this force is part of the Danish Ministry of Justice.

“Rigspolitiet”, which is part of the national police force, has overall responsibility for the country’s 14 police districts, including the districts of the Faroe Islands and Greenland. It is in charge of the overall strategic and tactical framework for the entire police body. Each district has a local Commissioner, who is in charge of managing local police work [1].

The local Commissioner works closely with the National Commissioner in devising national law enforcement strategy. Rigspolitiet is the driving force in implementing new police initiatives, and coordinates special operations [2, p. 3].

Danish police are very proactive and responsive when dealing with violent criminal activity, but are selective about responding to non-violent crimes. The Danish National Police (*Politi/Politiet*) are typically the primary law enforcement responder in the case of an emergency. The emergency line in Denmark is 112 [1].

#### **Список використаних джерел**

1. Denmark 2020 Crime & Safety Report. URL: <https://www.osac.gov/Country/Denmark/Content/Detail/Report/36ce7ca8-b359-47cd-9ff1-186147e3793c>.

2. European Commission – Together Against Trafficking in Human Beings. URL: [https://ec.europa.eu/anti-trafficking/member-states/denmark\\_en](https://ec.europa.eu/anti-trafficking/member-states/denmark_en).

3. How INTERPOL supports Denmark to tackle international crime. URL: <https://www.interpol.int/Who-we-are/Member-countries/Europe/DENMARK>.

4. International police cooperation/ Danish police collaborate with several international organisations. URL: <https://politi.dk/en/international-police-cooperation>.

**Сарібекаєн Ю.**, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Скрипник М.**

## **VIOLATION OF CONSTITUTIONAL RIGHTS DURING THE APPLICATION OF PRECAUTIONS AND CERTAIN TYPES OF NSDS**

The issue of violation of constitutional rights during precautionary measures and certain types of covert investigative (investigative) actions (hereinafter – NSDS) has been discussed repeatedly. These actions do not always take place in compliance with all the requirements specified by law. This leads to certain differences and conflicts, and worst of all, when such non-compliance violates constitutional human rights.

As is known, according to Article 3 of the Constitution of Ukraine [1], a person, his life and health, honor and dignity, inviolability and security are recognized in Ukraine as the highest social value. That is why the implementation of precautionary measures without compliance with the requirements is quite a serious and urgent issue.

Let's start with the fact that the European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 (hereinafter – the Convention) stipulates that everyone has the right to respect for his private and family life, his home and his correspondence; public authorities may not interfere in the exercise of this right, except where the interference is carried out in accordance with the law and is necessary in a democratic society in the interests of national and public security or economic well-being, to prevent riots or crimes, to protect health or morality or to protect the rights and freedoms of others (Article 8) [2]. In accordance with the requirements of the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters [3], covert investigations into crimes within national criminal proceedings are provided for.

In its judgment of 12 March 2009 in *Sergey Volosyuk v. Ukraine* (application no. 1291/03), the ECHR disclosed the basic requirements of the right to respect for private and family life and to correspondence guaranteed by Art. 8 of the Convention, in particular: “The Court notes that the parties have not denied that the examination of the applicant's correspondence by the officials of the institution where he was detained constituted an interference with the applicant's right to respect for his correspondence guaranteed by Article 8 § 1 of the Convention [4].

The principle of the rule of law in the decisions of the ECHR concerning Ukraine concerns the requirements of the “quality” of the law and legal certainty requires compliance with the requirements of the “quality” of the law, which provide for interference with individual rights and fundamental freedoms. Thus, the judgment of 10 December 2009 in *Mikhaylyuk and Petrov v. Ukraine* (application no. 11932/02) states: The Court recalls that the expression “in accordance with the law” first of all

requires that the impugned interference had some basis in national law; it also concerns the quality of the relevant legislation and requires that it be made available to the person concerned, who must also be aware of its consequences for himself, and that this legislation must comply with the rule of law (*Poltoratskiy v. Ukraine*). *Ukraine* of 29 April 2003 (application no. 38812/97, § 155) [5].

The ECHR has repeatedly stated violations of the right to respect for private life in cases against Ukraine. For example, in its judgment of 29 June 2006 in *Panteleyenko v. Ukraine* (application no. 11901/02), the ECHR stated that both the storage by public authorities of information about a person's private life and its use is a violation of the right to respect for private life, which is guaranteed by paragraph 1 of Art. 8 of the Convention [6]. Provisions of item 2 of Art. 15 of the CPC of Ukraine on the prohibition of collection, storage, use and dissemination of information about a person's private life without his consent, except as provided by the CPC of Ukraine, applies only to information obtained during criminal proceedings. The principle of non-interference in private life, provided for in Art. 15 of the CPC of Ukraine, much narrower than the right not to respect for private and family life, which is guaranteed by Art. 8 of the Convention. Therefore, in order to prevent breaches of the obligations set out in this Convention, it is important to be aware of the ECHR's approaches to Art. 8 of the Convention [7].

The analysis of the above examples of case law showed that both the ECHR and the courts of Ukraine of different instances adhere to a common position, according to which to verify the admissibility of evidence obtained by NSDC related to interference in private communication, the court should be able to review documents, which gave permission for this action. However, when the court does not have such a possibility in court, the results of the relevant NSDS should be assessed as inadmissible evidence and cannot be used in substantiating the court decision.

In addition, it can be concluded that Chapter 21 of the CPC of Ukraine is fully consistent with the practice and approaches of the ECtHR, but for the most part the ECHR found violations of human rights and freedoms in Ukraine not due to inconsistency of national legislation but due to incorrect practice. In particular, the legislation does not sufficiently define the procedural form of conducting individual NSDCs related to interference in private communication, which would allow the parties to criminal proceedings and the court to verify the authenticity of their results. As a result, the courts do not recognize these results as admissible evidence at the request of the defense or on their own initiative.

#### **Список використаних джерел**

1. Конституція України. *Відомості Верховної Ради України*. 1996. № 30. С. 141. URL: <http://zakon5.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80>.

2. Конвенція про захист прав і основних свобод людини. Рада Європи; Конвенція, Міжнародний документ від 4.11.1950. URL: <http://zakon4.rada.gov.ua>.
3. Когутич І. І. Проект КПК України: негласні слідчі (розшукові) дії. Митна справа. 2011. № 6 (78). Ч. 2. Кн. 1. С. 306–312.
4. Справа «Волосюк проти України» (Заява № 60712/00) від 29 черв. 2006 р. Верховна Рада України. URL: [http://zakon3.rada.gov.ua/laws/show/974\\_095](http://zakon3.rada.gov.ua/laws/show/974_095).
5. Смчук Л. В. Право на повагу до приватного та сімейного життя в практиці Європейського суду з прав людини. Альманах міжнародного права. 2015. Вип. 8. С. 117–122.
6. Справа «Фельдман проти України» (Заяви N 76556/01 та 38779/04). від 08 квіт. 2010 р. Верховна Рада України. URL: [http://zakon0.rada.gov.ua/laws/show/974\\_613](http://zakon0.rada.gov.ua/laws/show/974_613).
7. Рішення Конституційного Суду України від 20.01.2012 р. № 2-рп/2012 у справі за конституційним поданням Жашківської районної ради Черкаської області щодо офіційного тлумачення положень частин першої, другої статті 32, частин другої, третьої статті 34 Конституції України. Верховна Рада України. URL: <http://zakon3.rada.gov.ua/laws/show/v002p710-12>.

**Свистіль С.**, курсант Національної академії внутрішніх справ  
**Консультант з мови: Скриник М.**

## **POLICE FIGHT WITH BULLYING IN UKRAINE**

Bullying is any deliberate, hurtful, upsetting, frightening or threatening behaviour by an individual or a group towards other people. It is repeated over a period of time and it is very difficult for the victims to defend themselves. Bullying is meant and results in worry, fear, pain and distress to the victim's.

UNICEF defines bullying as unwanted aggressive behaviour by school-age children that results in the child being bullied by another child or group of children in order to humiliate, intimidate and demonstrate force.

Bullying most often occurs in places where there is little or no adult control. It can be a yard, stairs, corridors, toilets, locker rooms, sports grounds. Even at home, victims of bullying can continue to be harassed by sending abusive messages on the phone or through social networks.

According to various studies, almost every third person in Ukraine has been bullied in one way or another, suffered from humiliation and ridicule: 10% – regularly (once a week and more often); 55% – partially exposed to bullying by classmates; 26% – parents consider their children victims of bullying.

Bullying can be grouped into verbal (verbal), physical, social (emotional) and electronic (cyberbullying) bullying, which are often combined for greater impact.

The police in Ukraine are monitoring schools, workplaces, public places, and social networks to identify the source of bullying. The police conduct trainings on how not to become a victim of bullying and what to do if you are bullied. It is now planned to create a database which will indicate the perpetrators of bullying. Police in Ukraine that tend to be supportive of all children tend to prevent bullying. Schools conduct anonymous surveys to gather information about bullying in Ukraine.

Yearly surveys can help maintain awareness of how severe the bullying problem is in a school. Effective bullying prevention programs involve education on what bullying is and the extent to which it is harmful for all involved, understanding how others may view victims, and how to get help. Successful police anti-bullying programs increase playground supervision, provide clear consequences for bullying, and teach students who are bystanders to bullying how to stand up for victims so that bullying behaviour gains a stigma rather than being socially beneficial.

Bullying also takes place at work, when employees bully each other. Police encourage employees to address each other by name and with respect, to participate fully in the necessary tasks and to avoid gossip about each other or to exclude anyone from conversations.

So, nowadays, the problem of the problem has become quite common and widespread. Police believe that silence or tolerance of such behaviour is an obstacle to the implementation of an effective program against intimidation. Interventions that have not consistently been found to be helpful in preventing or decreasing bullying include having the bully and victim try to work out their differences in front of police. Rigid rather than firm no tolerance for bullying policies tend to result in overreactions to behaviours that do not constitute bullying. We must remember that the prevention of bullying is the first fight against it. Just informing of bullying tends to improve the victim quality of life, because person know where she or he can find the protect.

#### **Список використаних джерел**

1. Глобальне опитування про булінг. URL: <http://www.unicef.org/ukraine/ukr/infographicbullying-upd.pdf>.
2. Стоп Булінг! Центральний відділ поліції. URL: <http://mariupol-police.dn.ua/news/view/5935>.

*Силаді А., курсант Національної  
академії внутрішніх справ  
Консультант з мови: Скриник М.*

## **GENDER ISSUE IN LAW ENFORCEMENT AGENCIES**

The issue of gender equality has been important for all countries at different times, but at each stage of historical development, the severity and its nature had their own characteristics. At the present stage of society's development, fundamental changes are taking place in the issue of gender equality. Today it is difficult to imagine the sphere of economy, culture, science, and social sphere without the activity of women. Women are increasingly mastering professions that have historically been considered purely masculine. The service of women in the internal affairs bodies is no exception [1].

The United Nations provides gender-responsive policing throughout the United Nations police work as an operational need to address the differentiated security needs of women, men, girls and boys [2].

The participation of women police officers is critical to the full range of United Nations police activities, such as the rule of law, intelligence, planning, leadership, investigation, public order management, capacity building of the host country's police, targeted policing, gender awareness and engagement communities [2].

In addition, women police officers serve as role models for gender equality, inspiring women and girls to defend their rights and careers in law enforcement. Moreover, women police officers provide a greater sense of security for women and children and improve access and support by law enforcement to local women [2].

Take the US country for example. Women in law enforcement in the United States represent roughly a tenth of all law enforcement officers in the United States. Employed largely as prison matrons in the 19th century, women took on more and increasingly diverse roles in the latter half of the 20th century. They face a particular set of challenges given the history of their entry into the profession, their low rates of participation, and the complex identities they negotiate in the work place. Women who work in law enforcement have struggled for years to gain acceptance in their workplace. Some of their biggest challenges are their lack of representation, stereotypes around women, and intersectionality [3].

For example, women are often afraid to go for a promotion over their male co-worker to do the constant oppression faced. As well as being subjected to rude comments and sexual harassment, women are also left out of office activities and squad bondings. This makes it difficult to build connections and trust with their colleagues, the lack of which can be very dangerous when they are out in the field [3].

Organizations such as the National Association of Women Law Enforcement Executives (NAWLEE) offer mentoring services to women, guiding newly appointed head female officers to become better leaders.



Commander Kristen Ziman of the Aurora (Illinois) Police Department, and also head of NAWLEE, stated that although yes, women are still oppressed today, some of it is self-inflicted [3].

Now, I want to tell about Ukrainian women, who work in police. Statistics on the number of women serving in the internal affairs bodies of Ukraine indicate that their number is constantly growing. However, in the law enforcement environment, women are outside the collective of dominant socio-cultural norms and traditions. The reasons for this are various factors: social, psychological, cultural, educational, and so on. Such situations contradict the principles of democratic, sustainable and non-discriminatory development of society, which confirms the need for a conceptual approach to ensuring gender equality in the activities of the police of Ukraine [1].

So we can draw the following conclusion the current period is marked by the intensification of legislative support for gender equality in the police, but in practice there are a number of socio-psychological and organizational problems that require a comprehensive psychological study of the current state of psychological support for gender equality in the police to identify typical forms of gender stereotypes and prejudices, conflicts, their causes and development of methods for their elimination. The information obtained will allow to develop optimal methods of psychological support of gender equality in the activities of the police, taking into account the specifics of the service, which will increase the level of efficiency in the use of human resources [1].

#### **Список використаних джерел**

1. Смирнова О. М. Забезпечення гендерної рівності у діяльності органів внутрішніх справ України. URL: [http://irbis-nbuv.gov.ua/cgi-bin/irbis\\_nbuv/cgiirbis\\_64.exe?C21COM=2&I21DBN=UJRN&P21DBN=UJRN&IMAGE\\_FILE\\_DOWNLOAD=1&Image\\_file\\_name=PDF/Vnaou\\_2014\\_3\\_58.pdf](http://irbis-nbuv.gov.ua/cgi-bin/irbis_nbuv/cgiirbis_64.exe?C21COM=2&I21DBN=UJRN&P21DBN=UJRN&IMAGE_FILE_DOWNLOAD=1&Image_file_name=PDF/Vnaou_2014_3_58.pdf).

2. UN Police Gender Initiatives. URL: <https://police.un.org/en/un-police-gender-initiatives>.

3. Women in law enforcement in the United States. URL: [https://en.m.wikipedia.org/wiki/Women\\_in\\_law\\_enforcement\\_in\\_the\\_United\\_States](https://en.m.wikipedia.org/wiki/Women_in_law_enforcement_in_the_United_States).

*Сіренька Д.,* курсант Національної академії внутрішніх справ

**Консультант з мови: Скриник М.**

### **COMBATING ILLEGAL MIGRATION IN THE UNITED KINGDOM**

Today millions of people leave their place of permanent residence and come thousands of miles in search of a better life. Economic and labour market factors are a major driver of international migration and work is

currently the main reason for migration to the United Kingdom. Language, study opportunities, and established networks are all factors that encourage people to migrate to the United Kingdom.

According to the House of Commons Library, several definitions for a migrant exist in the United Kingdom so that a migrant can be:

- someone, whose country of birth is different to their country of residence;
- someone, whose nationality is different to their country of residence;
- someone, who changes their country of usual residence for a period of at least a year, so that the country of destination effectively becomes the country of usual residence [1].

Illegal migration is an integral part of a well-known phenomenon, denoted by the term "migration". But there is a big difference between the term "migrant" and the term "illegal migrant". There is no definition of an irregular migrant (or 'illegal immigrant') in UK law. However, it is commonly held that there are four main ways in which a person can become an irregular migrant:

- enter the UK regularly and breach the conditions upon which entry or stay was granted, such as by visa overstaying, doing work that is not permitted, or due to a criminal conviction;
- enter the UK irregularly or through deception, such as using forged documents or lying about the purpose of entry;
- do not leave the country after an application for asylum has been rejected and all rights of appeal exhausted;
- be born in the UK to parents who are irregular migrants, because the UK does not have birthright citizenship. (Some of these children can acquire citizenship directly. This category is included here because they are often included in estimates of the UK's irregular population) [2].

In some definitions, the irregular migrant population includes those with legal residence but who work in breach of employment or other restrictions attached to their immigration status – a condition known as “semi-compliance” with immigration control [3].

Recently, the level of illegal migration has increased significantly. And this has become a threat to the national security of many countries, including the United Kingdom. There are several methods to combat this phenomenon, that can reduce the level of illegal migration. At first, using advance passenger information to identify those seeking to abuse the immigration system or those who present a threat to the United Kingdom prior to arriving in the United Kingdom. The United Kingdom Electronic Borders program, known as e-Borders, aims at keeping track digitally of every individual who enters or exits the country. It is one of the key ways that the UK combats irregular migration before migrants arrive in the UK by collecting and processing advance passenger information. Using biometric technology helps to reduce fraud and abuse of identity documents. At second, using biometric technology helps to reduce fraud

and abuse of identity documents. Biometric technology uses unique physical identifiers, such as fingerprints and facial images, to fix identities to individuals. This enables the UK Border Agency to check a person against existing records and makes it more difficult for individuals to use false identity documents when the document includes a unique biometric identifier. At third, working with communities to raise awareness of irregular migration. This initiative involved working with law enforcement colleagues across the United Kingdom and internationally. At fourth, tackling employers of irregular migrants. If an employer is found to be illegally employing a migrant worker, they may face civil or criminal sanctions.

Illegal migration is a crisis for every country in our world. However, the ultimate solving the problem of illegal migration can be found in a combination of state and local unity and choosing comprehensive, realistic immigration policy.

#### **Список використаних джерел**

1. House of Commons Library Briefing: Migration Statistics. URL: <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN06077>

2. Irregular migration in the UK. URL: <https://migrationobservatory.ox.ac.uk/resources/briefings/irregular-migration-in-the-uk/>.

3. M. Ruhs and B. Anderson. Semi-compliance and illegality in migrant labour markets: an analysis of migrants, employers and the state in the UK / Population, Space and Place, 16 (3). 2010. P. 195–211.

**Скуйбіда К.**, курсант Національної академії внутрішніх справ  
**Консультант з мови: Харчук Н.**

### **CURRENT PROBLEMS IN THE FIGHT AGAINST CORRUPTION AND SOME POSSIBLE SOLUTIONS: USA**

To date, corruption has penetrated into all spheres of life. Crimes related to corruption are a serious problem for the society, which can endanger the stability and security of the society, undermine the values of democracy and morality, jeopardize social, economic and political development and jeopardize peace. With the depletion of economic resources associated with the spread of COVID-19, the need to prevent corruption in the public and private sectors has become particularly urgent.

The issue of jurisdiction is important in the context of the international fight against corruption. Due to the fact that in many corruption cases there is a foreign element. The question is especially important in respect of types of corruption involving foreign public officials that is officials whose nationality is different from the nationality of the bribers and from the state where the corruption takes place, as the foreign element in these types of corruption may make it impossible to punish the

corruptive behaviour. As a corruption offence becomes an offence that seeks to establish certain boundaries for the way in which business is conducted, the broad jurisdictional framework can also be used for this purpose. This is reflected in the very broad ways in which U.S. courts have established jurisdiction over violations of competition law [1].

In the United States, the fight against corruption takes place at several different levels of the criminal justice system. These levels can usually refer to both federal and state enforcement, prosecution and litigation in the United States. The US has law enforcement agencies at the federal level, the state level, the county level, and the local level. This decentralization offers perhaps more opportunities for corruption, but at the same time provides more agencies to fight against corruption [2].

Detection of corruption schemes is still one of the problematic tasks in the investigation of this type of crime. As official corruption is by definition committed by government officials, its detection may be difficult because of its hidden nature, but also by the ability of government officials to intimidate subordinates who are in a position to reveal the corruption or to threaten the funding of law enforcement agencies which have jurisdiction over them [3].

Corruption at the judicial level in the United States is less common than corruption at the pre-trial investigation level. Exceptions to these statistics may be due to a number of reasons. There are no national standards for prosecutors. Thus, the quality of prosecution varies considerably from county to county. This, coupled with the fact that prosecutors earn less money than an attorney in private practice. It should also be noted, local chief prosecutors in the US are either elected or appointed [4]. Because corruption is such a broad category that encompass a wide variety of criminal acts, it is especially important that the punishment fit the crime. This is not possible when a judge lacks flexibility in sentencing. As a result of a combination of these factors at only about 10% of defendants charged with a felony in the US go to trial [5].

One of the measures to prevent corruption among civil servants is laws and a code of ethical conduct. In the US there are numerous sections of the US Code which contain such provisions, while at the state level there are generally codes of conduct and statutes prohibiting bribery and other abuses of power. Susan Rose-Ackerman is Henry R. Law Professor. She is also co-director of the Yale Law School Center for Law, Economics and Public Policy and proposes a number of actions to help reduce corruption such as:

1. Program elimination (of corrupt programs)
2. Privatization (of current government services)
3. Reform of public programs (revenue collection, regulation, social benefits)
4. Administrative reform (make administration competitive)
5. Deterrent effect of anti-corruption laws (increase deterrence and reward whistleblowers)

6. Procurement systems (improve the efficiency of government purchasing)

7. Reform of civil service (substitute civil service for patronage and ensure that it is apolitical) [6].

In connection with the development of information technologies, organized crime and many other factors inherent in modern times, corruption is spreading on an unprecedented scale and becomes a problem that requires international cooperation to solve.

#### **Список використаних джерел**

1. John H. Shenefield, Thoughts on Extraterritorial Application of the United States Antitrust Laws, 52 Fordham L. Rev. 350 (1983). URL: <https://ir.lawnet.fordham.edu/flr/vol52/iss3/3/>.

2. Graf, Bernd U., "International Concurrent Jurisdiction: Dealing with the Possibility of Parallel Proceedings in the Courts of More than One Country" (1988). LLM Theses and Essays. 125. URL: [https://digitalcommons.law.uga.edu/cgi/viewcontent.cgi?article=1121&context=stu\\_llm](https://digitalcommons.law.uga.edu/cgi/viewcontent.cgi?article=1121&context=stu_llm).

3. 5 U. S. Code § 2302. Prohibited personnel practices. URL: <https://www.govinfo.gov/content/pkg/USCODE-2013-title5/pdf/USCODE-2013-title5-partIII-subpartA-chap23-sec2302.pdf>.

4. Vasily A. Vlasihin, The Prosecutor in American Criminal Procedure: Observations of a Foreign Student, 12 Loy. L.A. L. Rev. 833 (1979). URL: <https://digitalcommons.lmu.edu/cgi/viewcontent.cgi?article=1339&context=llr>.

5. Eksteen Riaan, "The Role of the Highest Courts of the United States of America and South Africa, and the European Court of Justice in Foreign Affairs", 2019. URL: [https://books.google.com.ua/books?id=c\\_eDwAAQBAJ&pg=PA319&lpg=PA319&dq=1.+Eksteen+Riaan,+%22The+Role+of+the+Highest+Courts+of+the+United+States+of+America+and+South+Africa,+and+the+European+Court+of+Justice+in+Foreign+Affairs](https://books.google.com.ua/books?id=c_eDwAAQBAJ&pg=PA319&lpg=PA319&dq=1.+Eksteen+Riaan,+%22The+Role+of+the+Highest+Courts+of+the+United+States+of+America+and+South+Africa,+and+the+European+Court+of+Justice+in+Foreign+Affairs).

6. Susan Rose-Ackerman, Corruption and Government: Causes, Consequences and Reform. Cambridge: Cambridge University Press, 1999. URL: [https://edisciplinas.usp.br/pluginfile.php/4866813/mod\\_folder/content/0/Aula%2011.%20ROSEACKERMAN%2C%20Susan%3B%20PALIFKA%2C%20Bonnie%20J.%20Corruption%20and%20Governm...pdf?forcedownload=1](https://edisciplinas.usp.br/pluginfile.php/4866813/mod_folder/content/0/Aula%2011.%20ROSEACKERMAN%2C%20Susan%3B%20PALIFKA%2C%20Bonnie%20J.%20Corruption%20and%20Governm...pdf?forcedownload=1).

**Сленко Б.,** курсант Національної академії  
внутрішніх справ

**Консультант з мови: Драмарецька Л.**

#### **WHITE-COLLAR CRIME IN THE USA**

“White-collar crime” is defined as a violation of criminal law by a person of the upper-socio-economic class in the course of his/her occupational activities. White-collar crime (or corporate crime, more

accurately) refers to financially motivated, nonviolent crime committed by businesses and government professionals. Typical white-collar crimes could include wage theft, fraud, bribery, Ponzi schemes, insider trading, labor racketeering, embezzlement, cybercrime, copyright infringement, money laundering, identity theft, and forgery. The motivation for these crimes is to obtain or avoid losing money, property, or services, or to secure a personal or business advantage. Most notorious are insider trading cases, in which individuals act upon, or divulge to others, information that isn't yet public and is likely to affect share price and other company valuations once it is known. Insider trading is illegal when it involves buying or selling securities based on material non-public information, which gives that person an unfair advantage to profit. Ponzi and pyramid schemes typically draw upon the funds furnished by new investors to pay the returns that were promised to prior investors caught up in the arrangement. Such schemes require the fraudsters to continuously recruit more and more victims to maintain the sham for as long as possible. The schemes typically fail when demands from existing investors outstrip new funds flowing in from new recruits.

Advance fee schemes can follow a more subtle strategy, where the fraudster convinces their targets to advance them small amounts of money that are promised to result in greater returns. Money laundering is the process of taking cash earned from illicit activities, such as drug trafficking and making the cash appear to be earnings from legal business activity. Among the most methods to launder money common, though, use real estate, precious metals, international trade, and virtual currency such as Bitcoin. Other investment scams flagged by the Federal Bureau of Investigation (FBI) include promissory note fraud, in which generally short-term debt instruments are issued by little-known or nonexistent companies, promising a high rate of return with little or no risk. Commodities fraud is the illegal sale or purported sale of raw materials or semi-finished goods that are relatively uniform in nature and are sold on an exchange, including gold, pork bellies, and coffee. According to the FBI, white-collar crime is estimated to cost the United States more than \$300 billion annually. In addition to the FBI, entities that investigate white-collar crime include the Securities and Exchange Commission (SEC), the National Association of Securities Dealers (NASD), and state authorities.

In the decades since, the range of white-collar crimes has vastly expanded as new technology and new financial products and arrangements have inspired a host of new offenses. Although typically the government charges individuals for white-collar crimes, the government has the power to sanction corporations as well for these offenses. The penalties for white-collar offenses include fines, home detention, community confinement, paying the cost of prosecution, forfeitures, restitution, supervised release, and imprisonment. Federal Sentencing Guidelines suggest longer prison sentence whenever at least one victim suffered substantial financial harm.

However, sanctions can be lessened if the defendant takes responsibility for the crime and assists the authorities in their investigation.

Both state and federal legislation enumerate the activities that constitute white-collar criminal offenses. The Commerce Clause of the U.S. Constitution gives the federal government the authority to regulate white-collar crime. In addition, most states employ their own agencies to enforce white-collar crime laws at the state level.

#### **Список використаних джерел**

1. White-Collar/Crime. URL: <https://www.investopedia.com/terms/w/white-collar-crime.asp>.
2. White-Collar/Crime. URL: [https://en.m.wikipedia.org/wiki/White-collar\\_crime](https://en.m.wikipedia.org/wiki/White-collar_crime).
3. White / Collar / Crimes and / Criminal / Liability. URL: <https://lawshelf.com/shortvideoscontentview/white-collar-crime/>.

**Слюсар Л.**, курсант Національної академії  
внутрішніх справ  
**Консультант з мови: Скриник М.**

### **THE INTERNATIONAL CRIMINAL COURT: POWERS AND JURISDICTION**

International criminal court is an effective mechanism for identifying and punishing perpetrators on international level. The basis of its activities is the Roman Statute which was adopted on 17 July 1998. The main mission of the ICC is to put an end to the most serious crimes of concern the whole world [1].

Structure of the ICC is composed of four organs: the Presidency, the Chambers, the Office of the Prosecutor and the Registry. Each of them have special powers and responsibilities.

The ICC is governed by the Rome Statute, which defines a number of principles that the court guide in the administration of justice. Analyzing the Roman Statute we can distinguish one of the general principles [2]:

1. "Ne bis in idem" (article 20 of the Statute) - a person cannot be attracted to responsibility of the International Criminal court person, if his act was already the subject consideration by a national or international court.

That's means that nobody can be condemn if person has already been found guilty of the crime and has already been served sentence, justified or proceedings were terminated from others rehabilitative grounds.

2. "Nullum crimen sine lege" (article 22 of the Statute ) - a person may not be convicted of a crime which is not provided for by the jurisdiction of the court.

The ICC don't consider crimes which uncertain by the Rome Statute.

3. “Nulla poena sine lege” (article 23 of the Statute) – a person convicted by the Court may be punished only in accordance with this Statute.

The ICC determines punishment which provided by the Statute.

4. “Non-retroactivity rationed personae” (article 24) – no person shall be criminally responsible under this Statute for conduct prior to the entry into force of the Statute.

The ICC cannot punish for crimes committed before the entry into force of the statute.

The jurisdiction of this court includes the prosecution of a person under the following conditions:

- the crime was committed on the territory of a state that has ratified the Rome Statute;

- the crime was committed by a citizen of a state that has ratified the Rome Statute;

- a state that has not signed the Rome Statute has declared the crime as relating to jurisdiction of the International Criminal Court;

- the crime was committed in a situation threatening international peace and security, and the Security Council The UN has appealed to the International Criminal Court under section 7 of the Rome Statute.

The jurisdiction of the International Criminal Court is limited in time: it covers only crimes committed after July 1, 2002, after the entry into force of the Rome Statute. Regarding the conflicts that have been going on for twenty years, such as the war in Uganda, its competence is limited to those actions which were carried out there after July 1, 2002 [1].

Since the establishment of the International Criminal Court, its activities have been in constant focus attention of the world community. He has opened criminal cases against crimes in Democratic Uganda Republic of the Congo and the Central African Republic. In addition, the UN Security Council referred to the Court the situation in the Sudanese region of Darfur. He was arrested and handed over to the International Congolese citizen T. Lubanga Dilo, one of the field commanders of the illegal armed forces group accused of forcing and using children under 15 years of military service in hostilities. Arrest warrants have been issued for 5 more members of an armed group from Uganda accused of the abduction of thousands of children whom they forcibly recruited into their ranks or used as domestic servants or sex slaves. On July 21, 2008, the International Criminal Court issued an arrest warrant Sudanese President Omar al-Bashir on genocide charges over the Darfur conflict. However, he was not arrested. On July 12, 2010, the International Criminal Court issued a new warrant to the arrest of President Omar al-Bashir, accusing him of organizing and conducting genocide of three ethnic groups in the population of Darfur.

The jurisdiction of the ICC extends to Ukraine in accordance with the Statement of Verkhovna Rada of Ukraine to the ICC on the recognition of Ukraine's jurisdiction of the ICC to commit crimes against humanity by



senior government officials, which led to particularly serious consequences and mass murder of Ukrainian citizens during peaceful protests [3].

The ICC case of crimes committed on the territory of Ukraine is entitled "Situation in Ukraine" and is under preliminary investigation by the ICC Prosecutor's Office. To date, 5 "Reports on actions for the preliminary study of the situation in Ukraine" for 2014, 2015, 2016, 2017 and 2018 have been published. The 2014 report on Ukraine on the preliminary analysis of the events that took place on the Maidan from November 21, 2013 to February 22, 2014, set out only the course of events on the Maidan and provided a legal analysis of the events on the Maidan. The 2015 Report states that despite serious human rights violations by law enforcement agencies and illegal armed groups targeted at protesters, as well as their support by the Yanukovych government, their actions show no signs of large-scale and systematic mandatory for the qualification of actions as crimes against humanity.

In conclusion, it should be emphasized that the ICC is an important and powerful mechanism for combating international criminals who have not been punished at the national level. Thanks to a clear and coordinated work, the investigation of the cruelest crimes against humanity is carried out legally and in compliance with the Rome Statute.

#### **Список використаних джерел**

1. Understanding of the ICC. URL: <https://www.icc-cpi.int/iccdocs/pids/publications/uicceng.pdf>.
2. Rome Statute of the International Criminal Court. URL: <https://www.icc-cpi.int/resourcelibrary/official-journal/rome-statute.aspx>.
3. Україна і Міжнародний кримінальний суд: двадцять складних питань і простих відповідей. URL: <https://yur-gazeta.com/publications/practice/kriminalne-pravo-ta-proces/ukrayina-i-mizhnarodniy-kriminalniy-sud-dvadcyat-skladnih-pitan-i-prostih-vidpovidey.html>.

*Сокирко М.*, курсант Національної академії  
внутрішніх справ

**Консультант з мови: Хоменко О.**

### **STRATEGIES FOR COMBATING CRIME IN AFRICA: THE GHANAIAN EXPERIENCE**

Crime has become a prominent issue in Africa and contributes in diverse ways to the underdevelopment of many countries in Africa. The researchers focused on the descriptions of the usefulness of the strategies used to combat crime in Africa, problems being encountered, and recommendations for improvement. Statistical data from 2009 to 2013 on transnational organized crimes from the Criminal Investigations Department of Ghana Police Service, document reviews and extracts from radio and

television interviews with scheduled officers and other experts were used to gather data for the study. It was revealed from the study that major transnational crimes in Africa include drug and human trafficking. In dealing with the issues of transnational crime, Ghana Police Service (GPS) came out with an innovative crime combat strategy involving the support of the general public. It was revealed from the study that as other non-narcotic crimes were decreasing, narcotic related crimes were increasing by 6.7 percent from January to August 2013 to same period in 2014.

Among the transnational organized criminal activities in Ghana, drug trafficking is the most significant. "Drug trafficking in particular has intensified over the last decade and Ghana has remained an important country for cocaine trafficked from Latin America and South Asia en route to Europe and the United States". Other forms of transnational organized crimes in Ghana include human trafficking. Ghana News Agency (2014) reported that Ghana Police Anti-Human Trafficking Unit in collaboration with a nongovernmental organization intercepted a group of 30 children being trafficked to other parts of Ghana. The traffickers were arrested and prosecuted [2].

The threat of crime has prompted many academicians and crime officers to dialogue and devise strategies, techniques, and weapons that are more effective to combat the threat posed by the criminals involved in transnational organized crime.

Many nations have taken steps to combat the menace of drug trafficking by instituting ruthless measures against drug trafficking organizations worldwide but the industry continues to grow with combative reactions involving the murder of innocent citizens. For instance in Mexico the president took measures to declare war against the drug cartels in 2006 and interdicted many of the traffickers. Since the war was declared over 40,000 Mexicans have been murdered yet the industry continues to grow with corpse messages. Ghana is a republican country in West Africa that shares borders with Burkina Faso.

Major crimes in Ghana include murder, fraud, human trafficking, child stealing, robbery, smuggling, rape, counterfeiting, and illegal possession of firearms. There is the perception that, "Ghana lacks the requisite institutional capacity and framework for responding to organized crime". Ghana Police Service (GPS) recently launched Police Information Hotline with support from Ghana mobile phone companies and other donors to aid in crime combat. Other strategies adopted include visibility policing, motor bike patrols and new ways of dealing with cyber-crimes [4].

Human trafficking has become a transnational crime that Ghana is now contending with. In dealing with transnational organized crime on human trafficking the CID office of GPS established nine anti-human trafficking units in different parts of Ghana and embarked on rescue and

prosecution of cases. GPS also works in collaboration with other NGOs in Ghana to combat the menace of human trafficking [3].

### **Combating the Drug Menace in Ghana-Strategies**

In devising strategies to combat transnational crimes, Ghana has resorted to many strategies involving collaborative linkages and support from the general public. Resulting from a high rate of drug abuse in Ghana and the dangerous threat of illicit drug, in 1990 Ghana established Narcotics Control Board (NACOB), an agency under its ministry of Interior. The Board was established under PNDC Law with the responsibility of reducing narcotic drugs. The Board is in-charge of enforcement and control, and to implement the government policies to tackle the drug menace in Ghana with the aim of using multidisciplinary measures against cultivators, traffickers, peddlers, and users of narcotic drugs. The Board liaises with government and non-governmental organizations and has various forms of international cooperation to address the issue of illicit drug trafficking and other psychotropic substances. According to the Ministry of the Interior, internationally, Ghana is a signatory to many UN conventions on drugs.

Internally, NACOB plays coordinating roles with law enforcement and control agencies including: Ghana Police Service, Defense Intelligence, National Security Council, Ghana Airport Company Ltd, Bureau of National Investigation, and Ghana Immigration Service. All the agencies cooperate with NACOB in curbing the drug menace in Ghana.

Another strategy that Ghana embarked upon in dealing with organized crime is the establishment of Economic and Organized Crime Office (EOCO) under the Economic and Organized Crime Office Act. The Act established EOCO as a specialized agency entrusted with the authority to detect, monitor, investigate and prevent organized crime prevent. It has the object of co-operating with international agencies in its dealing with transnational organized crimes. The Act empowers the officers to exercise powers of the police to request for information, search and remove documents, and obstruct officials in dealing with organized crimes [1].

### **Список використаних джерел**

1. Edward, A. & Gill, P. (Eds). New York, 2003. 105 p. (Transnational organized crime: Perspectives on global security).
2. Ministry of the Interior, Narcotic control board: September 17, 2007. URL: <https://www.mint.gov.gh/agencies/narcotic-control-board/>.
3. Nigerians involve in cocaine business in Ghana on the rise : December 14, 2014. URL: <https://www.bbc.com/news/world-africa-30212820>.
4. Strategies for Combatting Transnational Organized Crime in Africa: The Ghanaian Experience: June 2 , 2013. URL: <https://iniciativatpa.org/wp-content/uploads/2014/10/Article-on-Strategies-for-Combatting-Crime-in-Africa-Abstract.pdf>.

**Сологуб В.**, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Скриник М.**

## **VIOLENCE AGAINST CHILDREN INSIGHTS IN CHILDREN`S RIGHTS**

Violence involving children – violence directed at children and violence by children – is causing increasing concern in many if not all countries of the world. The intense media spotlight, often on particularly horrific individual cases of violence involving children, suggests – not necessarily accurately – greater prevalence. In the varied arenas of armed conflict around the world, children are particularly vulnerable to the increased targeting of civilian populations, often with lethal modern weapons.

Over the past year, up to 1 billion children have experienced physical, sexual or psychological violence, according to a recent study published in “Pediatrics”. Homicide is among the top 5 causes of death for adolescents. 1 in 4 children suffer physical abuse, and nearly 1 in 5 girls are sexually abused at least once in their lives

The Convention on the Rights of the Child, adopted by the United Nations General Assembly in 1989 and ratified as of August 1997 by all but two of the world’s countries, provides clear principles and standards for the protection of children from violence, and for the treatment of child perpetrators of violence.

Protecting children from violence The preamble of the Convention asserts that the child, by reason of his or her physical and mental immaturity, “needs special safeguards and care”. Article 19 obliges ratifying States to: take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Malawi has made important strides in developing a comprehensive national child protection system.<sup>70</sup> In 2010, the country passed the Child Care Protection and Justice Act to provide a strong legal and policy foundation for the protection of children. Malawi successfully established a multisectoral approach to child protection that includes legal, police, health, social welfare and education actors. The Ministry of Gender, Children, and Social Welfare has facilitated this work, leveraging its extensive reach at the community level with a network of 1,000 community child protection workers (700 volunteer and 300 salaried).

While there is work to be done to strengthen the capacity of child protection actors to provide high-quality, well-coordinated services, the foundation of an extensive child protection system is in place, anchored by a network of 300 community victim support units, 101 police victim support

units, four one-stop centres, 14 child justice courts, two reformatory centres, a social rehabilitation centre, 10,200 community-based child care centres and a social cash transfer programme that reaches 319,000 households. The Ministry recently established a Child Protection Information Management System and is piloting innovative mobile reporting projects to improve data collection and analysis from the community at district and national levels.

In 2013, the first national study on the prevalence of violence presented an historic opportunity to implement violence prevention and response programmes based on robust data. In 2013, more than 25,000 cases of violence were brought to established service points (One Stop Centres, Police or Community Victim Support Units).

#### **Список використаних джерел**

1. Children And Violence. URL: <https://www.unicef-irc.org/publications/pdf/digest2e.pdf>.

2. Ending violence againsts children. URL: [https://www.unicef.org/publications/files/Ending\\_Violence\\_Against\\_Childr\\_en\\_Six\\_strategies\\_for\\_action\\_EN\\_9\\_Oct\\_2014.pdf](https://www.unicef.org/publications/files/Ending_Violence_Against_Childr_en_Six_strategies_for_action_EN_9_Oct_2014.pdf).

*Сом К.*, здобувач ступеня вищої освіти Національної академії внутрішніх справ

**Керівник з мови: Зубенко В.**

### **COMMUNITY POLICING AS A CONCEPT OF COOPERATION BETWEEN CITIZENS AND THE POLICE**

The highest social value in Ukraine, according to Article 3 of the Constitution of Ukraine, is a person, his life and health, honor and dignity, inviolability and security. The security of citizens in each country is ensured by the police, namely public order. However, the police need to interact directly with citizens. That is why there is a «community policing» around the world as a principle in policing, built on constant communication, when the police and the community are aware of their shared responsibility for security. This trend is widespread around the world, and therefore, taking the experience of the United States, we will understand why it is also needed for Ukraine.

The concept of community policing has been around for a long time and in the US it can be traced as far back as the 19th century. The primary purpose for its inception was to have police engaging with communities to build strong relationships between its members and law enforcement. One of the earliest and major tactics of community policing involved officers going on foot patrols through the neighborhoods they serve. In today's modern era, this has evolved to departments incorporating social media and/or community engagement systems to share relevant local information with residents. It has been an integral strategy for cities that have looked to combat violence, drugs and other criminal activities [1].

Community policing is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.

Community policing comprises three key components:

1. Community Partnerships.
2. Organizational Transformation.
3. Problem Solving.

The process of engaging in the proactive and systematic examination of identified problems to develop and evaluate effective responses [2].

**Community Partnerships.** Community policing encourages interactive partnerships between law enforcement agencies, their officers, and the people they serve. By developing connections within the community, police are better informed and empowered to solve public safety problems.

Police: partner with agencies such as probation and parole, health and human services, schools, and other law enforcement agencies. All agencies benefit from sharing resources and experience; forge partnerships with people who live and work in the community. These partnerships can help develop trust and transparency, leading to more efficient and effective policing and better community-police relationships; often partner with entities such as support groups, issue and advocacy organizations, and the faith-based community. These partnerships allow for more coordinated and targeted use of shared resources; develop partnerships with the small business community, large corporations, and local chamber of commerce and visitors bureaus; develop partnerships with local newspapers, television outlets, radio stations, and bloggers. These lead to greater transparency, better public image, and more effective crime solving.

**Problem Solving.** Community policing officers are encouraged to proactively identify problems, develop innovative responses, and evaluate the results. Crime fighting is more proactive than reactive.

Officers: identify and prioritize problems, determine the nature of the problem, and the scope of the problem; research what is known about the problem to gain a thorough understanding of all possible contributing factors; develop solutions to bring about lasting reductions in the number and extent of problems; evaluate the success of the response and make adjustments as necessary; look for vulnerabilities in the crime triangle. Problems can be solved by disrupting the relationship among the victim, offender, and location.

**Organizational Transformation.** A variety of organizational features and characteristics help support community policing partnerships and problem-solving efforts. Agency Management – Community policing helps law enforcement executives to incorporate community-policing ideals into all areas of an agency. Organizational Structure: A community policing structure provides line-level officers with decision-making authority and accountability. This empowers the officers who interact and build

relationships with their community members on a daily basis. Personnel: Community-policing ideals are incorporated into all personnel practices including recruitment, hiring, section, training, and evaluations. The goal and emphasis of every practice is the development of a positive relationship between police and the community. Information Systems and Technology: technology plays a central role in providing access to accurate community information and enhancing two-way communication [3].

Most U.S., Canadian, and UK police departments use the SARA (or SARAM) problem-solving method:

- S - Scanning (need to identify and describe the problem);
- A - Analysis (determine what is the general problem of this problem, as a result of which it is related);
- R - Response (priming at the highest value, the need to develop optimal ways to solve this problem, including several long-term thrusts);
- A - Evaluation (evaluation of the results of solving the problem. If the results are independent, you can get other ways);
- M - Maintenance. Solve the problem with an effective result when it has lasting results. Of course, you can get information and short-term positive conveniences, but the question arises: "How can you save a longer period of time without the constant intervention of law enforcement, the public, NGOs?" [4].

Regarding the effectiveness of this concept, we will take the example of the country that was the first founder of the concept of "community policing", namely the state of Washington, USA. By the mid-1990s, there were nearly 300 local patrol groups of nearly 14,000 locals in the US capital, Washington. Sometimes such volunteers patrol in groups that include police or National Guard soldiers. The results of this practice did not take long: in 1993 in the US capital, the level of night thefts with burglary decreased by 40%, and the share of car theft in the structure of all crime decreased from 12% to 2%.

Continuing the successful example of voluntary patrols in Washington state, note that it is not limited to its center. This practice is widespread in more provincial towns, which include the city of Ancortes, which has a population of just over 16 thousand. The local police department has been successfully operating a patrol since 1992, which includes more than 80 conscious citizens who are interested in law and order and security of their own city. The patrol is divided into two groups - "Center" and "West", which protect public order and are the "eyes and ears" of the police.

**Ancortes.** In 2010 alone, members of auxiliary patrols spent more than 3,500 hours free of charge. The main forms of work of these patrols include:

- protection of public order in the most criminogenic places;
- monitoring of suspects and cessation of antisocial behavior on their part;

- inspection of the safety of personal property of residents of Ancortes, who are on vacation outside the city (188 raids in 2010);
- issuance of written warnings to persons who parked the car in unauthorized places;
- patrolling in the city center to protect property in offices legal entities;
- informing the public about sexual acts in the city crimes.

In addition, the participants of such voluntary patrols during various events, celebrations of defining events for the city help the local police, in addition to maintaining public order, also regulate traffic [5].

Thus, the concept provides an opportunity for the public to cooperate with the police to quickly identify and resolve problems with public order, crime prevention. The concept also defines the implementation of some of the functions of the police, namely social services and crime prevention should be a priority in law enforcement.

#### **Список використаних джерел**

1. Community Policing. *Everbridge*. URL: <https://www.everbridge.com/solutions/alert-residents-and-visitors/community-policing/>.
2. Community Policing Defined. URL: <https://www.nationalpublicsafetypartnership.org/clearinghouse/Content/ResourceDocuments/Community%20Policing%20Defined.pdf>.
3. What Is Community Policing? // Discover Policing. URL: <https://www.discoverpolicing.org/explore-the-field/what-is-community-policing/>.
4. Community policing: essence and constituent elements // file:///C:/Users/admin/Downloads/Pib\_2012\_1\_15.pdf.
5. Modern foreign experience of public influence on crime. URL: [https://ivpz.kh.ua/wp-content/uploads/2019/02/monogr\\_kolodyagnii\\_2017.pdf](https://ivpz.kh.ua/wp-content/uploads/2019/02/monogr_kolodyagnii_2017.pdf).

*Степанко Е.*, курсант Національної академії внутрішніх справ

**Консультант з мови: Козубенко І.**

### **TRANSNATIONAL ACTIVITIES OF CHINESE CRIME ORGANIZATIONS**

Large numbers of illegal migrants move directly from China into large Chinese communities in Guatemala, Panama, Honduras, and Costa Rica. In those countries, which have no visa requirement, local criminal organizations obtain documentation for the migrants. In the late 1990s, Interpol identified 18 local Chinese gangs that were federated in Central America under the Fa Yen triad. According to a 1995 report, Taiwanese



nationals in Guatemala established a people-trafficking route connecting Taiwan with Southern California, where other Taiwanese nationals had established a destination point.

A 2002 report characterized Guatemala as “a significant transit country for alien smuggling, both from neighboring Central American countries and Ecuador and from China, Taiwan, and South Asia...” Reportedly, migrants moving from China to the United States via Guatemala pay as much as US \$25,000 to their Chinese traffickers. Belize reportedly also has functioned as a transit point for illegal migrants and narcotics between Taiwan and the United States, under the influence of bribes to government officials from Taiwan-based triads.

In 2000, the National Institute of Justice described Panama as a major transit point for illegal migrants into the United States from a number of countries, including China. The award of a long-term contract by the government of Panama to the Hong Kong-based Hutchison Whampoa Company to operate shipping facilities at the Panama Canal’s port cities of Balboa and Cristobal, has aroused speculation that this Chinese connection might gain traffickers free access to the canal.

The activity of Chinese criminal groups in South America is concentrated most heavily in what is known as the Tri-Border Area (TBA), where the territory of Argentina, Brazil, and Paraguay meet. Within that region, the center of Chinese criminal activity is Ciudad del Este, a city of about 250,000 in southeastern Paraguay. This boom town reportedly contributes 60 percent of Paraguay’s tax revenue, much of which is based on illegal activity. That financial support has prevented government authorities from exercising border controls with neighboring Brazil and Argentina and from establishing a credible police presence in the city. A 1998 report characterizes Ciudad del Este as “the criminal outpost for regional and international mafias and it lives off counterfeit goods, smuggling, cheap electronics and clothing, drug-trafficking, prostitution, the trade of minors and the small arms trade.” According to that report, four of every five people in the city are illegal immigrants. Initially encouraged by the Paraguayan government, a strong surge of immigration from China began in the 1980s and has continued since that time. The city’s mainly Cantonese Chinese population, estimated at as high as 30,000 (about 9,000 of which are legal immigrants), has been an ideal environment for the operations of Chinese criminal groups.

The dynamism of the Chinese community in the city has attracted Chinese criminal groups from China and from Taiwan. Members of at least one triad, the Sun Yee On, are known to be based in Ciudad del Este. The Chinese groups specialize in providing “protection” to the local Chinese business people and in imposing “taxes” on the containers imported by the Chinese businesses from Asia. When the groups import goods directly from Asia, the Chinese business community is obligated to purchase that

merchandise, or suffer the consequences of not doing so. In this way, the criminal groups gain monopoly control over the import of particular types of merchandise.

Hong Kong-based criminal groups engage in large-scale trafficking in pirated products, particularly electronics, from China to Ciudad del Este. According to international intelligence agencies, those groups also maintain strong ties with the pro-Iranian Hizballah in the TBA. Ayrton Nascimento Vicente, who was chief of Brazil's TBA Command, an organization created by the three national governments to control the zone, confirmed the existence in the TBA of Chinese criminal groups with branches in São Paulo (Brazil), Santa Cruz de la Sierra (Bolivia), San Francisco (California), and Buenos Aires, among other cities.

In 2001 the Paraguayan government was making a significant effort to neutralize the activities of the Chinese mafias, but with only occasional success. A few major organizational leaders such as Wu Wen Huan, an alleged extortionist, tax evader, and trafficker in illegal commodities, have been arrested in the past two years. According to regional security expert Mariano Bartolomé, Chinese criminal activity has increased in the TBA in general and Ciudad del Este in particular because the region plays a key role in the expansion plans of these criminal organizations into Argentina. The objective of the Chinese criminals is to establish themselves in the duty-free zone of the Argentine province of San Luis. At the same time, economic pressure has increased to eliminate the Chinese criminal element from the region. A group of 15 Taiwanese industrialists has shown interest in establishing branches of their industries in the Eastern Industrial Park of Ciudad del Este, on condition that local authorities eradicate the Chinese mafia in the TBA.

The Chinese mafia in the TBA are known to collaborate with the Islamic terrorist groups in the region. According to Brazilian investigative reporter Roberto Godoy, at least two organizations – the Sung-I and Ming families – have engaged in illegal operations with the Egypt-based Gamaa Islamiya (Islamic Group). In December 2000, Sung-I sold a shipment of munitions, labeled as medical equipment, to the Islamic Group in Egypt. The Ming family has managed Islamic Group funds from Ciudad del Este in a financial circuit that includes Guyana and the Cayman Islands.

#### **Список використаних джерел**

1. Chin, Ko-Lin, Sheldon Zhang, and Robert J. Kelly. Transnational Chinese Organized Crime Activities: Patterns and Emerging Trends. *Transnational Organized Crime* 4, nos. 3–4 (2002).

2. The China-Born Community Historical Background. URL: <http://huaren.org/diaspora/oceania/australia/id/051201-01.html>.

*Степанова Д.*, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Лопутько О.**

## **THE ROLE OF THE DISTANCE EDUCATION IN LEARNING PROCESS**

Distance education also called distance learning is form of education in which the main elements include physical separation of teachers and students during instruction and the use of various technologies to facilitate student-teacher and student-student communication. Distance learning provides access to learning when the source of information and the learners are separated by time and distance or both. Distance education includes online and offline modules, face to face lectures, telephone support typically. We can say that distance education can be more flexible in terms of time and can be delivered virtually anywhere. For example, massive open online courses (MOOCs) are very popular nowadays. It aimed at large-scale interactive participation and open access via the web or other network technologies.

The earliest distance education courses may date back to the early 18<sup>th</sup> century in Europe. One of the earliest examples was from a 1728 advertisement in the Boston Gazette for «Caleb Phillips, Teacher of the new methods of Short Hand» who sought students who wanted to learn through weekly mailed lessons. The widespread use of computers and the internet have made distance learning easier and faster and today virtual schools and virtual universities deliver full curricula online. In 1996 Jones International University was launched and claims to be the first fully online university accredited by a regional accrediting association in the US.

Distance education has a long history, but its popularity and use has grown exponentially as more advanced technology has become available. The global development of distance learning began in the late 19th century. We know of such distance learning higher education institutions: University of Hagen, International Correspondence Schools and University of South Africa. This type of learning is ideal for those seeking to acquire additional qualifications for career development, and can be particularly useful for students who are studying further while working full time.

How exactly does this educational system work?

**Independent learning.** Students are expected to learn independently, with the use of study materials and support channels offered by the institution. With that said, students are still able to receive feedback and interact with teachers.

**Interactive study tools.** Classes typically include a variety of study tools and delivery methods. These could range from online lessons to correspondence modules sent via post, emailed assignments, study groups, assessments and examinations.

**Assessments and feedback.** Students are assessed remotely through work completed via various study channels. Feedback and support is a vital

part of correspondence learning, and is given via phone, email, that allow students to ask questions, discuss projects and interact with lecturers.

Why are some schools and universities switching to distance learning? This happens because it offers opportunities in situations where traditional education has difficulty. In Ukraine, by the date of the official start of the remote start can be considered 21 January 2004, if the Decree № 40 of the Ministry of Education and Science of Ukraine approved the "Regulation on remote start". Nowadays schools and universities have moved to distance learning due to the spread of COVID 19 around the world. So what are the advantages and disadvantages of this, anyway?

The advantages of distance education:

1. Mobility is the ability of a person from any technical device (phone, computer, etc.) and anywhere in the world to have access to the information he needs.

2. Flexible Study Schedule - means that each student chooses his or her own time for classes, and this gives him or her the opportunity to combine work and study.

3. One-to-one tuition is an opportunity for the student, if necessary, to discuss the issue in person with the teacher and many others.

The disadvantages of distance education:

1. Lack of practical training, so the student cannot acquire practical skills

2. The evaluation of knowledge by a computer, not a person, when a person answers verbally may ask an additional question for a more accurate evaluation of his knowledge

3. User authentication problem – this means that there is no guarantee that the person decides the tasks themselves and others.

So, distance learning is a form computer-based training and telecommunication technologies that provide interactive interaction between teachers and students at different stages of educational independent work with the source of the information network. Distance learning provides students with round-the-clock access to teaching materials, ongoing support and advice from teachers and methodologists, online video lectures, virtual simulators and other technology solutions for efficient learning process.

#### **Список використаних джерел**

1. Cynthia White. "Language Learning in Distance Education", 2003. P. 15–17.

2. Brad Voelller. Accelerated Distance Learning: The New Way to Earn Your Collage in the Twenty-First Century, 2011, P. 146–147.

3. Michael Simonson. Distance Learning, 2014, P. 54–56.

4. What is Distance Learning? URL: <https://regent.ac.za/campus-news/what-is-distance-learning/>.

5. Simon Mingley. What is Distance Learning. URL: <https://www.thecompleteuniversityguide.co.uk/distance-learning/what-is-distance-learning>.

6. Gary A., Berg, Michael Simonson. Distance Learning. URL: <https://www.britannica.com/topic/distance-learning>.
7. Jessica Keys. What is Distance Learning Course? URL: <https://study.com/academy/popular/what-is-a-distance-learning-course.html>.
8. Distance Education. URL: [https://en.wikipedia.org/wiki/Distance\\_education](https://en.wikipedia.org/wiki/Distance_education).

*Стешенко О.*, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Грига М.**

### **CERTAIN ASPECTS OF EXPERIENCE OF FOREIGN COUNTRIES IN COMBATING CRIME**

Over the last decade, there has been a tendency to increase crime rates all over the world, and at the same time, lack of measures of social and legal control over the growing criminalization of public relations [1, p. 24–29].

In our country, as in other CIS countries, the system of prevention created during the Soviet era was destroyed, which, despite certain shortcomings, was relatively effective, showing examples of interaction between law enforcement agencies and the public.

Note that according to statistics, violent crime is growing every year. The world's largest database of cities and countries Numbeo has published statistics on the level of danger to life in different countries. The last time the ranking of countries in the world by crime rate was updated in mid-2020. The first 5 countries according to the crime index: Venezuela – 84.36; Papua New Guinea – 80.04; SAR – 77.29; Afghanistan – 76.97; Honduras – 76.65. Ukraine ranks 47th on this list with an index of 48.84, the most common areas, winter, Russia – 79% (40.60), Poland – 95% (33.13), Romania – 109% (27.82) and Belarus – 117% (25.02) [2].

This unfortunate situation has arisen despite a well-developed system of both domestic and international organizations and institutions to combat crime, including such well-known as the General Assembly, the Security Council, the Secretariat (Sector) for Crime Prevention and Criminal Justice, the Economic and Social Council, the International Court of Justice, the Commission for the Prevention of Crime and Criminal Justice (established in 1991 on the basis of the Committee for the Prevention and Combating of Crime), regional research institutes and UN centers, etc.

International non-governmental organizations also contribute to the fight against crime: the International Criminal Law Association; International Criminological Association, etc. A special place is given to the International Criminal Police Organization (Interpol). The fight against crime at the regional level is facilitated by the Council of Europe (the Parliamentary Assembly, the Committee of Ministers, the European

Committee on Legal Cooperation, the European Committee on Crime Problems), the Central Criminal Police Agency – Europol.

Regional cooperation in the fight against crime is also carried out within the CIS both at the interstate (the Interparliamentary Assembly, the Council of Heads of State, the Council of Heads of Government) and at the interdepartmental level of law enforcement agencies (prosecutors, law enforcement agencies, security agencies, tax police).

However, the central place in the fight against crime is occupied by the police authorities of the world. Generalization of experience of cooperation between criminologists and employees of the above law enforcement agencies, allows to determine the most effective forms, namely: planning joint programs to combat the most dangerous types of crime; mutual consultations on developing a strategy to prevent crime; development of current and long-term crime prevention programs; exchange of experience in the organization of prevention. In addition, effective areas of cooperation are the exchange of information on ways to commit, conceal and detect crimes; special literature; delegations of practitioners and scientists; results of scientific research, etc.

The exchange of experience is also facilitated by: joint preparation of collections of scientific works, scientific and educational literature; joint preparation of information, proposals, draft legislative acts; expansion of international specialization and cooperation in the development of measures aimed at eliminating the causes and conditions that contribute to crime; joint research and implementation in practice; coordination of current and future plans to combat crime.

Much attention is paid to combating crime in the developed countries of the world. Thus, the United States is characterized by positive developments in the fight against crime in national planning. In particular, in 1970 the US Congress passed the Organized Crime Control Act, which provides for a number of legislative and preventive measures to prevent crimes subject to federal jurisdiction. In the United States, the involvement of citizens in prevention work is also actively practiced, in particular, through the institution of voluntary police assistants.

Programs often provide a system of measures of special criminological prevention, which belong to the field of criminal, procedural and penitentiary law. A distinctive feature in fight against crime in the United States in recent decades is also the desire for centralized planning and coordination of this area of activity, the creation of special bodies for this purpose and giving them fairly broad powers [3, p. 46].

Many countries around the world have established similar authorities that systematically analyze the state of crime prevention and provide appropriate advice to government agencies to make appropriate decisions [4].

However, in the absence of such state structures, the prevention of crime, in particular in Ukraine, should be facilitated by studying the

preventive activities of law enforcement agencies in other countries and borrowing their positive experience. It is seen that in the context of a permanent increase in crime in our country, which is actively seeking to become a full member of the European Union, the introduction of such best practices abroad may be an urgent need.

#### **Список використаних джерел**

1. Kuts V.N. The role of codification of criminal legislation of Ukraine in the convergence of European legislative systems. *Bulletin of the National University of Internal Affairs*. Kharkiv. 2000. Issue 12. P. 2. P. 24–29.
2. Rankings of countries by crime rate. URL: <https://nonews.co/directory/lists/countries/crime-index>.
3. Voronin Yu. A. The system of combating crime in the United States. Sverdlovsk: Ural University Press, 1990. 99 p.
4. Kalman A. What is the opposite of crime? *The mirror of week*. URL: [https://zn.ua/LAW/chto\\_protivopostavit\\_prestupnosti.html](https://zn.ua/LAW/chto_protivopostavit_prestupnosti.html).

**Стукало Н.**, здобувач ступеня вищої освіти Національної академії внутрішніх справ

**Керівник з мови: Зубенко В.**

### **FOREIGN EXPERIENCE IN THE FIELD OF COMBATING JUVENILE CRIME**

Under the prevention of crime, scientists understand the activities carried out by government agencies and the public, which should be systemic in nature as a set of measures and the range of entities that carry it out, aimed at preventing, eliminating, reducing or neutralizing the causes and conditions of crime, its individual types and a specific crime. Such activities should be based on a combination of measures of two levels - general social and special criminological prevention [1, p. 95]. An important component of a unified system of crime prevention is the prevention of juvenile delinquency. Under the prevention of juvenile delinquency should be understood the activities of bodies and services for minors, special institutions for juveniles, aimed at identifying and eliminating the causes and conditions that contribute to the commission of juvenile delinquency, as well as a positive impact on negative behavior of minors [1, p. 96].

It is possible to create an effective and efficient system of juvenile delinquency prevention in Ukraine only after analyzing and taking into account the world experience

For example, in the United States there are three models of preventive activities: the model of public institutions, the model of individual safety and the model of environmental impact. Crime prevention programs are being implemented at the federal and local levels. In some

states, citizen participation in law enforcement has reduced the number of robberies by 30%. Here the reward for the information having operational and preventive value is used. More attention in the practice of crime prevention in the United States is paid to eliminating the causes and conditions of crimes, stopping acts of vandalism, preventive resolution of family conflicts, and building trust between the police and citizens. House arrest with electronic monitoring is becoming a fairly common punishment, which is an effective means of preventing the recurrence of crimes. Among the non-traditional methods of crime prevention should be noted attempts to use hypnosis and meditation (group sessions of hypnosis and anti-criminogenic meditation) [3, p. 8].

The United States of America is characterized by a special system of protection of minors in criminal proceedings, due to a number of features of the legal system of the state. Historically, the United States was home to the world's first juvenile justice system. A probation system was introduced to manage and control minors after their release [4, p. 25].

The legal system of this country has established three main requirements for juvenile justice. First of all, it is a specialization of the judiciary, which provided for the availability of autonomous premises for consideration and resolution of cases concerning minors; specialized judge and isolation of juveniles from adults in pre-trial detention facilities. The trial was simplified and took the form of an interview between the judge and the defendant behind closed doors. An important feature of the American juvenile court was that the supervision of juvenile custody institutions was exercised by a judge (until now it was a public office). This in turn formulated the concept of "delinquent" ("offender"), which basically combined the concept of "child offender" and "child at risk".

Another feature of the "children's" court in the United States was the extensive cooperation of the court with the population of the judicial district. There were a large number of charitable organizations, women's clubs, societies to protect children from abuse. The peculiarity of this cooperation was that juvenile courts used information gathered by these societies on the living conditions of offending children and even gave instructions to these organizations, and women's clubs in turn were used to supervise children who remained at large.

Thus, in the United States, the following structure of "juvenile justice" was formed: the creation of special laws on minors - the allocation of space for special judges - the emergence of the position of guardian - the broad involvement of the public. Given the above, this structure was characterized by the following principles: individual approach to the child; special procedure for the trial of juvenile charges; emphasis on helping minors, not punishing them; implementation of selected measures for a minor by the state guardian and the public; discussion with guardians and parents of the appointment of educational and therapeutic measures [2].

The French model of juvenile justice is somewhat different from the American one, the main feature of which is that the judge is the central and most important link in both preventive work with adolescents and formal



justice, which decides the child's future. Moreover, the judge deals not only with offenders, but also with children who got into socially dangerous situations before committing an illegal act. The judge, the researchers note, mostly works not in the courtroom, but in his office. It is there that the judge tries to establish contact with the child, and then together with her seeks ways out of the situation by seeking help from certain social services. The judge rarely resorts to formal court proceedings - only in cases when all other possibilities to help are exhausted. An important aspect of the French system is that the judge "leads" the adolescent from the first case of a difficult situation. Therefore, the judge is always well acquainted with the history of the teenager and his family and knows more than anyone else how to help this family or teenager in a difficult situation.

The systemic disunity of the existing state institutions dealing with juvenile problems in Ukraine does not allow to achieve positive results in reducing the level of juvenile delinquency and in the field of protection of children from the criminal environment. Overcoming this situation is seen in the joint efforts of various government agencies and structures, as well as public organizations in a single vector of a holistic system of juvenile justice.

According to the methodological recommendations of the Main Department of Justice in Kyiv of the Ministry of Justice of Ukraine, the conditions for implementing the concept for the implementation of the juvenile justice system in Ukraine are as follows:

1. To create a National State Program, which should take into account the main components of juvenile justice in order to change the priorities in juvenile justice. This will mean an evolutionary change in the criminal punishment system towards the widespread use of restorative justice technologies. The Program should provide for the comprehensive implementation of the main components of juvenile justice through the implementation of seven modules of the Program.

2. Provide organizational, financial and material support for the implementation and operation of the juvenile justice system.

3. To establish an interdepartmental Coordinating Council for the functioning of the juvenile justice system to assist in the implementation of state policy and coordination in addressing issues related to the prevention of delinquency by children and adolescents, the establishment of a support system for children and adolescents within the juvenile justice system, socialization and reintegration of juvenile offenders with the participation of representatives of the Ministry of Justice, the Ministry of Education, the Ministry of Youth and Sports, the Ministry of Internal Affairs, the Ministry of Health, the Prosecutor General's Office of Ukraine and other interested central executive bodies and NGOs.

Today the state must introduce a more progressive system of social rehabilitation of children who have come into conflict with the law, which would meet modern requirements. International and domestic practice shows that the introduction of juvenile justice is an important factor that has a positive impact on society and strengthens the position of local

communities. Restorative justice programs are an effective component of juvenile justice: they have an educational impact on the offender, prevention of recidivism, and promotion of social adaptation and reintegration of offenders into society. Given the above, we consider it necessary to introduce certain models and specific methods of juvenile justice in some regions of Ukraine, for example, through the implementation of a pilot project, and analyze their effectiveness, which may be the subject of further research.

#### **Список використаних джерел**

1. Vasylykivska I. Prevention of juvenile delinquency in Ukraine. *Law of Ukraine*. 2004. № 1. P. 95–98.
2. Kovna U. Juvenile justice: historical experience. *Visnyk of Lviv National University*. 2004. Vip. 40. <http://www.lawyer.org.ua/?d=604&i=&w=r>.
3. Lazarenko O. Restorative justice in Ukraine. Prevention of juvenile delinquency. Ways to solve. *Quarterly Bulletin*. 2007. № 2. P. 57.
4. Savchenko A.V. Criminal legislation of Ukraine and federal criminal legislation of the United States of America: a comprehensive comparative legal study. K. : KHT, 2007. 594 c.

**Ступницький В.**, курсант Національної академії внутрішніх справ

**Консультант з мови: Марченко І.**

### **MARITIME PIRACY IN THE WORLD**

London and Kuala Lumpur, 15 July 2020 – Violent attacks against ships and their crews have risen in 2020, with 77 seafarers taken hostage or kidnapped for ransom since January, reveals the ICC International Maritime Bureau's (IMB) latest piracy report. The Gulf of Guinea off West Africa is increasingly dangerous for commercial shipping, accounting for just over 90% of maritime kidnappings worldwide. Meanwhile ship hijackings are at their lowest since 1993.

In total, IMB's Piracy Reporting Centre (PRC) recorded 98 incidents of piracy and armed robbery in the first half of 2020, up from 78 in Q2 2019. The increasing threat of piracy adds to hardships already faced by hundreds of thousands of seafarers working beyond their contractual periods due to COVID-19 restrictions on crew rotations and international travel. "Violence against crews is a growing risk in a workforce already under immense pressure," says IMB Director Michael Howlett. "In the Gulf of Guinea attackers armed with knives and guns now target crews on every type of vessel. Everyone's vulnerable." [1].

So far this year, 49 crew have been kidnapped for ransom in the Gulf of Guinea and held captive on land for up to six weeks. Rates are accelerating, with 32 crew kidnapped in the past three months alone. And they are happening further out to sea: two-thirds of the vessels were

attacked on the high seas from around 20 to 130 nautical miles off the Gulf of Guinea coastline.

IMB PRC urges vessels to report any attacks promptly. It can then liaise with coastal agencies, international navies and vessel operators, encouraging a quick response to deter piracy and armed robbery and improve the security of seafarers. The Piracy Reporting Centre also broadcasts to shipping via GMDSS Safety Net Services and email alerts to Company Security Officers.

A strict definition of maritime piracy only includes attacks on shipping on the high seas - that is, more than 12 nautical miles off the coastline and not under the jurisdiction of any state. Inside a country's territorial waters and within port facilities, these attacks are defined as armed robberies at sea [3].

Most of the attacks have been against ships involved in oil and gas transportation, such as tankers, bulk carriers and tugs. Fishing vessels have also been targeted.

The coastline off Nigeria saw the most attacks in 2018. This is partly because of "petro-piracy", targeting tankers from Nigeria's rich oil and gas fields.

There were also incidents reported at the loading and anchorage facilities in the Nigerian port of Lagos.

Piracy in the form of hijacking and kidnapping for ransom payments was also common off the coasts of Benin, Ghana, Nigeria, Congo-Brazzaville and Cameroon.

Rich pickings at sea, political instability, the lack of law enforcement and poverty on land are all factors which have contributed to the increase in piracy.

Most of the seafarers affected are not from the region. Around half are from the Philippines, followed by India, Ukraine and Nigeria.

International Maritime Bureau (IMB) assistant director Cyrus Mody says: «Somalia was the initial turning point and real eye-opener for everyone. The sheer level of violence seen there was unprecedented in modern-day shipping.» The IMB has since gone to great lengths to counter the threat of maritime piracy by utilising international relationships with maritime agencies, and encouraging heightened collaboration between states, strengthening defences of potentially endangered vessels and greater vigilance among shipowners.

Founded in 1991, the IMB PRC's 24-hour manned centre remains a single point of contact to report the crimes of piracy and armed robbery. The centre has not only assisted ships in a timely manner, it also provides the maritime industry, response agencies and governments with transparent data – received directly from the Master of the vessel under attack - or its owners.

The IMB PRC's prompt forwarding of reports and liaison with response agencies, its broadcasts to shipping via GMDSS Safety Net Services and email alerts to ships' CSOs (Company Security Officers), all

provided free of charge, has helped the response against piracy and armed robbery and the security of seafarers, globally.

The spread of sea piracy, in contemporary times is not restricted to one particular sea area or zone. It has become rampant in almost each and every part of the world.

Detailed below are 10 piracy affected areas where the terror and threat of sea pirates has reached looming proportions:

1. Malacca Straits.
2. South China Sea.
3. Gulf of Aden.
4. Gulf of Guinea.
5. Benin.
6. Nigeria.
7. Somalia.
8. Indonesia.
9. Arabian Sea.
10. Indian Ocean [4].

Marine piracy is a crime that needs to be addressed to without any delay. The international maritime committees and organisations are doing their share of shouldering the responsibility, but in the absence of a positive and responsible internal government, executing justice becomes quite difficult. This leads to a greater spread of piracy sea activities. In the best interests of not just the trading community but also of the lives involved – both the crew as well as the circumstance-turned-pirates – proactive action needs to be taken.

#### **Список використаних джерел**

1. Crew kidnappings surge in seas off West Africa. URL: <https://www.icc-ccs.org/index.php/1293-crew-kidnappings-surge-in-seas-off-west-africa-imb-reports> (дата звернення: 17.09.2020).

2. Piracy in West Africa. URL: <https://www.bbc.com/news/world-africa-48581197> (дата звернення: 17.09.2020).

3. Getting to the root of maritime piracy. URL: <https://www.raconteur.net/finance/maritime-piracy> (дата звернення: 17.09.2020).

4. Maritime Piracy Affected Areas around the World. URL: <https://www.marineinsight.com/marine-piracy-marine/10-maritime-piracy-affected-areas-around-the-world/amp/> (дата звернення: 17.09.2020).

**Терещень А.**, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Хоменко О.**

#### **FIGHTING CORRUPTION IN THE USA**

The aim of the article is the analysis of countering organized crime in the financial system abroad, as well as the development of concrete proposals to optimize the legislative provision of such activities by special

international law enforcement agencies in connection with countering crimes in the financial system committed by organized groups and criminal organizations.

The subject of the study is an organized crime in the financial system: foreign experience.

Ukraine has declared its intention to enter the European Union of developed democracies that have high standards of safety, well-being, and living, as well as the priority of human rights, the rule of law, and punishment inevitability for those who have committed a crime. Strengthening of democratic institutions is impossible without reducing the negative effects of corruption and organized crime, which remain one of the greatest current threats in our country [2].

Corruption is a form of dishonesty or criminal offense undertaken by a person or organization entrusted with a position of authority, to acquire illicit benefit or abuse power for one's private gain. Corruption may include many activities including bribery and embezzlement, though it may also involve practices that are legal in many countries. Political corruption occurs when an office-holder or other governmental employee acts in an official capacity for personal gain. Corruption is most commonplace in kleptocracies, oligarchies, narco-states and mafia states [1].

In this country the wide experience of the fight against corruption has been accumulated. Exactly here, in 1929 for the first time in the history, the organized crime became a subject of discussion at "high level".

Since then this problem is in the center of attention of the commissions, committees and subcommittees which were created according to the decision of the congress or the president who as a result of long and in-depth examination of various aspects of fight against organized crime and corruption developed the recommendations, which later became the basis for federal laws.

In June, 1970 the US Government created National Security Council for combat International Organized Crime, whose main objective was to develop a national action program. Leading role in the fight against organized crime belongs to the Department of Justice. The Department of Justice (DOJ) is responsible for enforcing laws, providing Federal leadership in preventing and controlling crime, developing Strategy to Combat Transnational Organized Crime and performs methodical management of this work.

The Federal Bureau of Investigations (FBI) is the main division of the Department of Justice directly assigned to combat against organized crime.

In the US legislation the concept of "public corruption" is determined rather widely. It includes a number of the illegal acts provided generally in four chapters of title 18 of US Code: 1) "Bribery, dishonest income and abuse of public officials"; 2) "Officials and employees on hiring"; 3) "Racketing and threats"; 4) "Elections and political activities".

Criminal prosecution for bribery in the USA is exposed not only on those who take bribes, but also those who offer it. In US Code it is detail specified what categories of officials are understood as the persons, accepting bribes. Responsibility for bribery is subject everyone who gives, offers, promises something valuable with the illegal purpose to a public official or candidate for this position.

As well as the Japanese, the US legislation provides restriction of business activity of the former officials, after his/her dismissal from State authorities [3].

### **Список використаних джерел**

1. Corruption. Peer Reviewed Journals. URL: [www.longdom.org](http://www.longdom.org). Retrieved 24 September 2020.

2. The European experience of preventing organized crime: Theoretical issues. URL: <http://referatok.com.ua/pravo/jevropeiskii-dosvid-zapobigannya-organizovanii-zlochinnosti-teoretichni-pitannya>.

3. Foreign anti-corruption experience. URL: <https://vkksu.gov.ua/ua/about/visnik-vishoi-kvalifikatsiynoi-komisii-suddiv-ukraini/foreign-anti-corruption-experience/>.

*Тертичний Б.,* курсант Національної академії внутрішніх справ

**Консультант з мови: Богущкий В.**

## **THE UNITED STATES' MULTIDIMENSIONAL APPROACH TO COMBATING CORRUPTION**

The United States' anti-bribery statutes are part of a multifaceted, comprehensive, and complex approach to corruption that involves a myriad of statutes, regulations, and policies. This approach includes (1) the notice and comment provisions of the Administrative Procedures Act (APA), (2) laws relating to transparency and accountability, such as the Freedom of Information Act, and (3) measures that address proper management of public affairs and public property, integrity systems (such as Codes of Conduct), and asset disclosure requirements for all three branches of the government. The same approach also uses (1) criminal statutes that are applicable to the conduct of public officials set forth in Title 18 of the United States Criminal Code, FCPA, and those relating to money laundering, (2) restrictions regarding procurement activities under Title 41, (3) non-criminal statutes involving gifts and travel by federal employees, and (4) other statutes related to employment, such as anti-nepotism laws or whistleblowing laws. In addition, the False Claims Act allows any person to file a legal action, known as a qui tam action, in the appropriate District Court against government contractors on the basis that the contractor has committed fraud against the government [2].

These laws are vigorously enforced, and it is constitutionally permissible, given the federal system, for natural persons (individuals) or

legal persons (companies) to be prosecuted by both national and state governments. Such double prosecution does not constitute double jeopardy. In discussing the "civil consequences" of corruption in international commercial contracts, this Report concentrates on federal statutes that directly address domestic and foreign bribery as well as the impact of corruption or bribery on the validity and enforceability of a contract under United States contract law.

The United States criminalizes bribery of domestic public officials through 18 U.S.C. § 201 (Bribery of Public Officials and Witnesses). Specifically, Sec 201(b) prohibits any person from "corruptly" giving, offering or promising "anything of value to any public official or person selected to be a public official, or offering or promising any public official or any person who has been selected to be a public official to give anything of value to any other person or entity", with intent (A) to influence any official act, (B) to influence such public official to commit fraud, or (C) to induce such public official to do or omit to do any act in violation of his or her official duties. Sec 201(b) imposes a fine of "not more than three times the monetary equivalent of the thing of value [offered or given] to the public official [.] or imprisonment for not more than 15 years, or both". In addition, it provides the possibility of disqualification from holding in the future "any office of honor, trust or profit" in the United States. Lastly, in cases involving bribery related to U.S. government contracts, an organization or individual may be barred from doing business with the United States government generally or with specific government agencies. Bribery is even a predicate offense under the Money Laundering Control Act.

Currently, there is no federal statute criminalizing commercial or private-sector bribery. However, 37 states have enacted "commercial bribery" statutes that criminalize bribery and corruption. These commercial bribery statutes criminalize private-sector bribery by stating, for example, that "any employee who solicits, accepts or agrees to accept money or anything of value from a person... corruptly and without the knowledge or consent of the employer, in return for using or agreeing to use his or her position for benefit of that other person, and any person who offers or gives an employee money or anything of value... is guilty of commercial bribery." [1]

No state has passed a law that explicitly prohibits foreign bribery, but according to the United States government report to the OECD, the U.S. state commercial bribery statutes can be used to prosecute foreign bribery where a foreign official is viewed as an agent or employee of his or her government. The FCPA is the federal statute that addresses foreign bribery. However, many federal and state statutes mentioned in this section can be invoked in FCPA collateral private civil actions. Such civil actions continue to increase as the number of FCPA enforcement actions also increases.

The United States legal system seeks to prevent and prohibit bribery and corruption through a myriad of laws, regulations, and policies. Anti-

corruption jurisprudence is most developed in the context of public sector contracts, but there are numerous statutes and common law principles that also address private-sector bribery and corruption, and provide adequate remedies for both offenses.

#### **Список використаних джерел**

1. Penal Code. URL: <https://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml?tocCode=PEN> (last visited Oct. 18, 2020).

2. U.S. Code § 3730 – Civil actions for false claims. URL: <https://www.law.cornell.edu/uscode/text/31/3730> (last visited Oct. 18, 2020).

*Титаренко К.*, курсант Національної академії внутрішніх справ  
**Консультант з мови: Марченко І.**

### **ONLINE DATING (ROMANCE) SCAMS**

Millions of people turn to online dating apps or social networking sites to meet someone. But instead of finding romance, many find a scammer trying to trick them into sending money [1].

Romance scams, or ‘sweetheart swindles’, are an emotionally devastating type of fraud, as scammers make their victims believe they have strong feelings for them; the romance component of the scam acts as a bait to lure victims, before committing other types of fraud, such as identity theft and financial fraud. While other scams, such as lottery scams and employment scams, are somewhat less personal, romance scams lower victims’ defenses by appealing to their compassionate side.

Romance scammers create fake profiles on dating sites and apps, or contact their targets through popular social media sites like Instagram, Facebook, or Google Hangouts. The scammers strike up a relationship with their targets to build their trust, sometimes talking or chatting several times a day. Then, they make up a story and ask for money. They often claim to be from Ukraine, but travelling or working overseas. Scammers typically create fake online profiles designed to lure victim in. They may use a fictional name, or falsely take on the identities of real, trusted people such as military personnel, aid workers or professionals working abroad.

Once they have gained victim trust and their defences are down, they will ask victim (either subtly or directly) for money, gifts or banking/credit card details. They may also ask to send pictures or videos of yourself, possibly of an intimate nature.

Often the scammer will pretend to need the money for some sort of personal emergency. For example, they may claim to have a severely ill family member who requires immediate medical attention such as an expensive operation, or they may claim financial hardship due to an unfortunate run of bad luck such as a failed business or mugging in the



street. The scammer may also claim they want to travel to visit you, but cannot afford it unless you are able to lend them money to cover flights or other travel expenses. Dating and romance scammers can also pose a risk to your personal safety as they are often part of international criminal networks. Scammers may attempt to lure their victims overseas, putting you in dangerous situations that can have tragic consequences. [2]

Online dating and romance scams cheat people out of millions every year. The money you send to scammers is almost always impossible to recover and, in addition, you may feel long-lasting emotional betrayal at the hands of someone you thought loved you. Scammers ask you to pay by wiring money, with reload cards, or with gift cards because they can get cash quickly and remain anonymous.

To conclude, online romance scams are here to stay. The booming online dating industry with its ever increasing membership continues to offer scammers with a ready naive people that are ideal for exploitation. The few and weak countermeasures, the ease of creating dating profiles, an increasing supply of victims, the reluctance of reporting victimization, their social skill prowess, their rationales and justifications, and their untouchable and anonymous status, grants these romance scammers a sanctuary in cyberspace.

#### **Список використаних джерел**

1. Federal Trade Commission. Consumer information: What You Need to Know About Romance Scams. URL: <https://www.consumer.ftc.gov/articles/what-you-need-know-about-romance-scams> (дата звернення 11.10.2020 р.).
2. ScamWatch: Dating & romance. URL: <https://www.scamwatch.gov.au/types-of-scams/dating-romance> (дата звернення 11.10.2020).

***Трохименко К.***, здобувач ступеня  
вищої освіти Національної академії  
внутрішніх справ  
**Керівник з мови: Могилевська В.**

#### **CRIME PREVENTION IN BRAZIL**

Brazil is the largest country in Latin America in terms of territory and population. The main feature of this country is the broad property polarization of the population. A certain reduction in crime during 2000–2012 in Brazil was achieved through a combination of various anti-criminogenic drugs of general social and special criminological nature. Socio-economic prevention areas include the fight against unemployment, especially among young people, which accounts for a significant share in the structure of Brazilian society; production development; economic support for socially vulnerable groups. The main direction of crime prevention remains the activity of the police in response to already

committed crimes and detention of criminals. The use of new approaches in crime prevention in Brazil has become possible with the adoption of the National Program on Public Safety and Citizenship (PRONASCI). Its implementation took place in 2007. This program involves various measures taken by the Ministry of Justice and other central public authorities in Brazil to reform the criminal justice system and fund local targeted prevention programs. As for local prevention programs, they are mostly socio-economic oriented, because they are designed to provide social support to vulnerable groups and create conditions for the development of the labor market. These include the following programs: "Territory of Peace", "Women of Peace", "Reserve Citizen", "Draw Freedom, Draw Citizenship" and others [1]. Part of the prevention programs is designed for residents of almost 6.5 thousand favelas, specific areas of the slums, where 6% of the poorest and marginalized population of Brazil live [2]. With the support of the United Nations Office on Drugs and crime, a special prevention project (BRAR75) is being implemented to reduce drug trafficking in the favelas of Rio de Janeiro [3]. Therefore, the Brazilian government is trying to take preventive measures aimed at improving the lives of people in the slums, their official employment, creating socio-economic and psychological barriers to the continuation of criminal activity. Not only social workers are involved, but also representatives of local communities and volunteers.

The intensification of crime prevention activities in Brazil was facilitated by the holding of the 2014 FIFA World Cup, as well as preparations for the organization of the 2016 Summer Olympics in Rio de Janeiro. As a result, in large cities where football matches were held, the authorities, with the help of local communities, were forced to make drastic decisions to reduce crime and address social issues. In one of the largest Brazilian cities of Sao Paulo with a population of about 20 million, which hosted the 2014 World Cup, a set of measures to prevent crime was introduced:

- 1) a special Forum was created, which included the mayor of São Paulo and the mayors of another 38 nearby cities that are part of the municipality of São Paulo;

- 2) preventive activities between mayors and police of these cities are coordinated;

- 3) additional local municipal police units have been formed;

- 4) legislation has been adopted to close most bars in criminogenic areas to increase the safety of the local population and reduce the level of violent crimes committed under the influence of alcohol;

- 5) local communities were activated to participate in educational, legal, social activities with the support of the authorities of the district of Sao Paulo. Taking a number of measures to develop the local infrastructure of the city, the reconstruction of urban areas, as well as the mobilization and joint efforts of residents has halved the murder rate in Sao Paulo during 2000-2007: from 43.2 to 22.0 per 100 thousand population [1].

Recently, the development and implementation of special prevention programs aimed at preventing certain types of crime have become widespread in various cities in Brazil. Often such programs are developed with the active support of scientific, educational, international and national research institutions. Let's analyze the most effective prevention programs that have been implemented and continue to be implemented in Brazil. To do this, we use the materials contained in a special publication entitled "Public-private partnership and public safety: a guide to action" [4]. This publication has been produced with the support of a number of international and national organizations involved in the fight against crime, such as the International Center for Crime Prevention (Montreal, Canada), World Bank, Security Department of the Chamber of Commerce and Industry of Bogotá (Bogotá, Colombia), Su da Paz Institute (São Paulo, Brazil). The identification of specific prevention projects currently under way in Brazil indicates their effectiveness and potential for dissemination as progressive experience in crime prevention. The main thing is that one of the main subjects of these programs are non-governmental entities - local communities, public law enforcement organizations, volunteers, volunteers. An example of the implementation of progressive international experience in crime prevention in Brazil is the prevention program "Fica Vivo" ("Stay Alive"). It is considered an analogue of the projects "Operation Ceasefire" ("Ceasefire") and "Drug-market intervention" ("Intervention in drug markets"), proposed by modern American criminologist D. Kennedy [5]. These programs are successfully implemented not only in many US states, but also in different countries.

#### **Список використаних джерел**

1. A / Conf.213 / 14 // Workshop on Practical Approaches to Preventing Urban Crime / Twelfth United Nations Congress on Crime Prevention and Criminal Justice (Salvador, Brazil, 12–19 April 2010). 21 p.
2. Favela. URL: <https://ru.wikipedia.org/wiki/%D4%E0%E2%E5%EB%E0>.
3. A / Conf.203 / 11 / Workshop 3: Strategies and Best Practices for Crime Prevention, in particular in relation to Urban Areas and Youth at Risk // Eleventh United Nations Congress on Crime Prevention and Criminal Justice (Bangkok, 18–25 April 2005). 23 pp.
4. Public-Private Partnerships and Community Safety: Guide to Action / International Center for the Prevention of Crime (ICPC). Montreal, 2011. 156 pp.
5. Striking results around the world. URL: <http://iipdigital.usembassy.gov/st/russian/article/2012/08/20120822134993.html#axzz288yAURwh>.

*Туровець Б.,* курсант Національної  
академії внутрішніх справ  
Консультант з мови: *Хоменко О.*

## **PREVENTION OF TERRORISM IN THE FEDERAL REPUBLIC OF GERMANY**

Germany has long endured violence from various forms of extremism including ultra-right, far-left, and faith-based. More recently, Islamism has posed a large and growing threat to Germany, and 2016 was marked by a series of Islamist-inspired terrorist attacks. Since September 11, 2001, more German citizens have died in Islamist terror attacks than in the entire history of violence perpetrated by the Red Army Faction, a far-left German terror group that operated in Germany for over thirty years. As early as 2014, the Federal Criminal Police has warned that the largest threat in Germany emanates from Islamist terror attacks perpetrated by fanatic individuals or small groups attack. More than half of them reside in Germany, while 153 are currently detained [1].

Germany has experienced an influx of refugees from the Middle East and North Africa in recent years, with more than 44 percent originating from Syria, Iraq, and Nigeria. Germany, at its peak, processed approximately 746,000 asylum applications in 2016. German authorities have warned that asylum seekers are at risk for radicalization by domestic Salafist jihadists of which there are currently an estimated 10,800 within the country. Additionally, ISIS has reportedly used migratory routes to smuggle fighters into Germany and worked to recruit asylum seekers. As of April 2018, about 1,000 foreign fighters are estimated to have left Germany and traveled to fight alongside extremist groups abroad. Of those that left, one third has since returned to Germany, and about 150 are believed to have been killed abroad [1].

Germany regularly experiences anti-immigrant and racist-related violence. Far-right propaganda and hate speech offenses as well as assault typically occurs during protests and marches. However, about 20 far-right extremists reportedly attacked six Pakistanis in Cologne in January 2016, leaving two victims hospitalized. According to the German interior minister, right-wing extremists were responsible for more than 90 percent of anti-Semitic crimes and similar percentage of anti-Islamic crimes in 2019. Anti-Semitic attacks surged by 13 percent compared to 2018. Far-right extremists were also credited with committing more than half of all politically motivated crimes, which rose by 14 percent in 2019 from 2018. The number of far-left extremists in Germany has increased by almost 6 percent in 2017 compared to 2016, and a third are believed to be prone to violence. Notably, extremist-leftist protesters and German police violently clashed during the July 2017 G20 Summit in Hamburg. The protesters threw rocks and Molotov cocktails, caused fires, and looted shops. Police responded with water cannons and teargas [1].

### **Functions and missions**

The GTAZ (Joint Counter-Terrorism Centre), based in Berlin, is not an autonomous authority but a joint co-operation and communication platform in the field of Islamic terrorism used by 40 internal security agencies. It was set up on 14 December 2004.

The GETZ (Joint Centre for Countering Extremism and Terrorism) started its work on 15 November 2012 and is located in Cologne. Here, co-operation between the police and the community of the German domestic intelligence services, between the Federation and the federal states in the fields of right-wing extremism/terrorism, left-wing extremism/terrorism, extremism of foreigners, counter-espionage and proliferation is organized under one roof [2].

Additionally, the GSG 9 of the German Federal Police is a counter-terrorism/special intervention unit for operations against organized crime and terrorist threats. Trained especially to handle complex attack scenarios and hostage-taking situations in the home country or abroad (in buildings, aircraft, public transportation, maritime objects). Standing procedures are operations / undercover operations against organized crime including using of weapons, EOD or dangerous goods and assistance for the BKA, State Police and Customs to arrest dangerous criminals and terrorists. The GSG 9 carries out special skills and tactics, disposes of specialized equipment and is in charge of examination and further development of all involved procedures. The unit has the ability to operate in a 24h standby and is on short call to support - exemplary their counterpart on the state level, the Special Deployment Commandos - or other federal and local agencies on request [2].

### **Structure and organisation**

Crucial for the success of the GTAZ and the GETZ is the co-operation between intelligence and police institutions and actors. The prerequisite for their co-operation "under one roof" was setting up two separate pillars, i.e. the Nachrichtendienstliche Informations- und Analysestelle (NIAS – Intelligence Information and Analysis Unit) and the Polizeiliche Informations- und Analysestelle (PIAS – Police Information and Analysis Unit). Both NIAS and PIAS members closely co-operate in several working groups (WG) that serve various purposes. Besides dealing with current cases and threat prognoses, they also draw up medium- or longer-term analyses [2].

### **Emergence of Special Forces GSG 9**

Modern terrorism made a name for itself during the 1972 Munich Olympics, when a group of Palestinian militants from the Black September organization captured Israeli athletes and fans. At that time, there were no special forces in West Germany capable of solving such complex problems. The operation to release the hostages was entrusted to the regular units of the Bavarian police. Police attacked a helicopter with hostages and terrorists on the runway at "Furstenfeldbruck" Airport. Being a great target themselves, they provoked the detonation of an explosive device prepared

in advance by terrorists. The explosion killed everyone who was in the helicopter: five hostages and five terrorists.

The need to create a special unit to fight terrorists has become obvious. Interior Minister Hans-Dietrich Genscher was allowed to form a similar group within the federal border police. The unit was entrusted to Lieutenant Colonel Ulrich Wegener, a special assignment officer under the Minister of the Interior. It took less than a year to form the unit. In April 1973, Wegener reported that the first two GSG-9s were ready for the mission. At the end of the acquisition, the group numbered 180 people. 6,300,000 German marks a year were allocated for its needs. This allowed the group commander to conduct tests of all types of weapons that could be obtained. When they could not find a suitable one, the appropriate weapon was developed by Hackler-Koch. Special uniforms were also developed for the group's fighters. In particular, all clothes and shoes are supplied by Adidas. Since the experience of their special forces was forgotten by the Germans, they took into account the experience of special forces of the army and police of the United States and Great Britain when working out tactical issues. However, as a working model, Wegener chose the structure of the special unit of the General Staff of the Israeli Defense Forces - "Saeret Matkal". This choice was made not by chance. Ulrich Wegener was an expert on terrorism and served in the Federal Border Police for 15 years. In the line of duty, he worked quite closely with his Israeli colleagues and acknowledged that their experience was quite effective [3].

#### **The loudest and most successful GSG operations**

**October 17–18, 1977:** Lufthansa Flight 181 was hijacked by four Palestinian terrorists demanding the release of Red Army Faction (RAF) members. GSG 9 officers stormed the aircraft on the ground in Mogadishu, Somalia, and freed all 86 hostages, killing three terrorists and capturing the remaining one.

**June 27, 1993:** Arrest of RAF terrorists Birgit Hogefeld and Wolfgang Grams in Bad Kleinen. The theory that Wolfgang Grams was executed in revenge for the death of GSG 9 operative Michael Newrzella during the mission (Grams had shot and killed Newrzella when Newrzella tried to tackle him) was discredited by the official investigation which found that Grams committed suicide.

**1993:** Ending of the hijacking of a KLM flight from Tunis to Amsterdam, redirected to Düsseldorf, without firing a single shot.

**2004:** GSG 9 is responsible for protecting German embassy property and personnel, including the embassy in Baghdad, Iraq. On April 7, 2004 two members were attacked and killed near Fallujah while in a convoy travelling from Amman, Jordan to Baghdad. The men, aged 25 and 38, were travelling in a car at the rear of the convoy, and therefore received most of the enemy fire after passing the ambush. The men were shot after their armoured Mitsubishi Pajero/Shogun was hit and stopped by RPGs. In a later

statement, the attackers apologized for mistaking the German convoy for an American convoy. One of the bodies is still missing.

**2007:** Three suspected terrorists were seized on Tuesday, 4 September 2007 for planning huge bomb attacks on targets in Germany. The bombs they were planning to make would have had more explosive power than those used in the Madrid and London terror attacks. They wanted to build a bomb in southern Germany capable of killing as many as possible. Fritz Gelowicz, 29, Adem Yilmaz, 29 and Daniel Schneider, 22, were charged with membership in a terrorist organization, making preparations for a crime involving explosives and, in Schneider's case, attempted murder.

**2009:** The GSG 9 were on the verge of boarding a German freighter, the MV Hansa Stavanger, which had been hijacked by Somali pirates. The case of the Hansa Stavanger, at this time off the Somali coast seemed sufficiently symbolic to justify another potentially successful rescue operation, though on a much larger scale. More than 200 GSG 9, equipped with helicopters, speedboats and advanced weapons, had been secretly brought, via Kenya, to a location 80 kilometres from the German freighter. The United States Navy helicopter carrier USS Boxer was lent to the Germans to act as their flagship, and a screen of German Navy warships flanked the Boxer. The ships had been patrolling near the Hansa Stavanger for days, waiting at a distance to evade detection on the pirates' radar screens. But the operation was called off before the rescue effort could begin. US National Security Advisor James L. Jones had called the Chancellery to cancel the operation. The US government, worried that the operation could turn into a suicide mission, was sending the USS Boxer back to the Kenyan port of Mombasa, where the German forces were to disembark. Officials at the German Federal Police headquarters in Potsdam, outside Berlin, concerned about the potential for a bloodbath, had also spoken out against the operation.

#### **Список використаних джерел**

1. Counter Extremism Project. Germany: Extremism & Counter-Extremism. URL: <https://www.counterextremism.com/countries/germany#overview>;
2. OSCE POLIS. Country profile: Germany. URL: <https://polis.osce.org/country-profiles/germany>.
3. Одне з найперших підрозділів антитерору GSG-9. І ще КСК (Kommando Spezialkräfte) (Німеччина). URL: [http://bodyguards.com.ua/technical\\_details/703-odnoiz-samyx-pervyx-podrazdelenij-antiterora-gsg-9-i-eshhe-kskkommando-spezialkraftegermaniya.html](http://bodyguards.com.ua/technical_details/703-odnoiz-samyx-pervyx-podrazdelenij-antiterora-gsg-9-i-eshhe-kskkommando-spezialkraftegermaniya.html).

**Фазан В.**, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Козубенко І.**

## **THE CENTRAL ROLE OF HUMAN RIGHTS AND STATE OBLIGATIONS WHEN COUNTERING TERRORISM**

The international community has committed to adopting measures that ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism, through the adoption of the United Nations Global Counter-Terrorism Strategy by the General Assembly in its resolution 60/288. Member States have resolved to take measures aimed at addressing the conditions conducive to the spread of terrorism, including lack of rule of law and violations of human rights, and ensure that any measures taken to counter terrorism comply with their obligations under international law, in particular human rights law, refugee law and international humanitarian law.

In 2004, the High-level Panel on Threats, Challenges and Change reported that recruitment by international terrorist groups was aided by grievances nurtured by poverty, foreign occupation, and the absence of human rights and democracy.

The World Summit Outcome, adopted by the General Assembly in 2005, also considered the question of respect for human rights while countering terrorism and concluded that international cooperation to fight terrorism must be conducted in conformity with international law, including the Charter of the United Nations and relevant international conventions and protocols. The General Assembly and the Commission on Human Rights have emphasized that States must ensure that any measures taken to combat terrorism comply with their obligations under international human rights law, refugee law and international humanitarian law. The Security Council has done the same, starting with the declaration set out in its resolution 1456 (2003), in which the Security Council, meeting at the level of Ministers for Foreign Affairs, stated that “States must ensure that any measure taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee, and humanitarian law.” This position was reaffirmed in Security Council resolution 1624 (2005). In his 2006 report “Uniting against terrorism: recommendations for a global counter-terrorism strategy” (A/60/825), the United Nations Secretary-General described human rights as essential to the fulfilment of all aspects of a counter-terrorism strategy and emphasized that effective counter-terrorism measures and the protection of human rights were not conflicting goals, but complementary and mutually reinforcing ones. Universal and regional treaty-based bodies have likewise frequently observed that the lawfulness of counter-terrorism measures depends on their conformity with international human rights law.



The United Nations Global Counter-Terrorism Strategy reaffirms the inextricable links between human rights and security, and places respect for the rule of law and human rights at the core of national and international counter-terrorism efforts. Through the Strategy, Member States have committed to ensuring respect for human rights and the rule of law as the fundamental basis of the fight against terrorism. To be effective, this should include the development of national counter-terrorism strategies that seek to prevent acts of terrorism and address the conditions conducive to their spread; to prosecute or lawfully extradite those responsible for such criminal acts; to foster the active participation and leadership of civil society; and to give due attention to the rights of all victims of human rights violations.

Not only is the promotion and protection of human rights essential to the countering of terrorism, but States have to ensure that any counterterrorism measures they adopt also comply with their international human rights obligations.

The General Assembly has adopted a series of resolutions concerning terrorism since December 1972, addressing measures to eliminate international terrorism as well as the relationship between terrorism and human rights. It has emphasized that States must ensure that any measures taken to combat terrorism comply with their obligations under international law, in particular international human rights, refugee and humanitarian law.

Under the Charter of the United Nations, the Security Council has primary responsibility for the maintenance of international peace and security, including measures to address terrorism as a threat to international peace and security. The Security Council has undertaken a number of counter-terrorism actions, notably in the form of sanctions against States considered to have links to certain acts of terrorism (primarily in the 1990s) and later against the Taliban and Al-Qaida, as well as the establishment of committees to monitor the implementation of these sanctions. In 2001, it adopted resolution 1373 (2001), which obliges Member States to take a number of measures to prevent terrorist activities and to criminalize various forms of terrorist actions, and calls on them to take measures that assist and promote cooperation among countries including signing up to international counter-terrorism instruments. Member States are required to report regularly to the Counter-Terrorism Committee (see annex) on their progress.

As seen above, the Security Council has called on States to ensure that counter-terrorism measures comply with international human rights law, refugee law and humanitarian law in several of its resolutions.<sup>32</sup> In its report to the Security Council (S/2005/800), the Counter-Terrorism Committee reiterated this call. It also stressed that the Counter-Terrorism Committee Executive Directorate (see annex) should take this into account in the course of its activities.

In addition to the general obligation of States to act within a human rights framework at all times, it should be noted that the universal treaties on counter-terrorism expressly require compliance with various aspects of human rights law. In the context of the International Convention for the Suppression of the Financing of Terrorism, for example, this is illustrated in article 15 (expressly permitting States to refuse extradition or legal assistance if there are substantial grounds for believing that the requesting State intends to prosecute or punish a person on prohibited grounds of discrimination); article 17 (requiring the “fair treatment” of any person taken into custody, including enjoyment of all rights and guarantees under applicable international human rights law); and article 21 (a catchall provision making it clear that the Convention does not affect the other rights, obligations and responsibilities of States).

#### **Список використаних джерел**

1. Human Rights, Terrorism and Counter-terrorism. Fact Sheet No.32 Printed at United Nations, Geneva. GE.08-41872–July 2008.

2. United Nations Human Rights Committee, General Comment No. 22: The right to freedom of thought, conscience and religion, 1993.

**Фазан В.**, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Лопутько О.**

#### **MISDEMEANOUR: HISTORICAL BACKGROUND**

Among words that name crimes, misdemeanour gets off easy. Today it officially designates a minor legal offense, but in the past it had meanings that could refer either to very major acts or things not even punishable by law. A misdemeanour is a criminal offense that is less serious than a felony and more serious than an infraction. Misdemeanours are generally punishable by a fine and incarceration in a local county jail, unlike infractions which impose no jail time. Many jurisdictions separate misdemeanours into three classes: high or gross misdemeanours, ordinary misdemeanours, and petty misdemeanours. Petty misdemeanours usually contemplate a jail sentence of less than six months and a fine of \$500 or less.

The punishment prescribed for gross misdemeanours is greater than that prescribed for ordinary misdemeanours and less than that prescribed for felonies, which customarily impose state prison. Some states, like Minnesota in its state misdemeanour laws, even define a gross misdemeanour as any crime that is not a felony or a misdemeanour.

Misdemeanour comes from demeanour, which means “behaviour toward others” or “outward manner” (as in “his quiet demeanour”), itself derived from the verb demean, which means “to conduct or behave (oneself) usually in a proper manner” —not to be confused with the other and much more common verb demean that means “to lower in character, status, or reputation” as in “I won't demean myself by working for so little

money”. These two verbs are spelled the same way but come from different roots.

Therefore, misdemeanour literally means “bad behaviour toward others.” This led to parallel usage as both general bad behaviour and legal bad behaviour. In American law, a misdemeanour is “a crime less serious than a felony.” A felony is defined as “a federal crime for which the punishment may be death or imprisonment for more than a year.” As misdemeanour became more specific, crime became the more general term for any legal offense.

The phrase “high crimes and misdemeanours,” found in Article Two, Section 4 of the Constitution, has been used in English law since the 14th century, as have other fixed phrases using synonymous terms, such as “rules and regulations” and “emoluments and salaries.” It can be very difficult to distinguish between any of these pairs of words, and their frequent use together renders them less technical in today’s highly specific legal vocabulary. “High crimes” are serious crimes committed by those with some office or rank, and was used in the language describing impeachment proceedings of members of the British Parliament in the 18th century.

### **Список використаних джерел**

1. Англійська мова для правоохоронців : навч. посіб. в 2-х ч. / за заг. ред. І. Г. Галдецької. К. : Нац. акад. внутр. справ, 2014. Ч. 1. 228 с.
2. Англійська мова для правоохоронців : навч. посіб. в 2-х ч. / за заг. ред. І. Г. Галдецької. К. : Нац. акад. внутр. справ, 2014. Ч. 2. 342 с.
3. Левіщенко М. С. Англійська мова (для факультативних занять): посібник для курсантів та слухачів ВНЗ системи МВС України. Рівне, 2014. 208с.
4. Драмарецька Л. Б., Марченко І. В. Crimes Investigation. Навч.-метод. посіб. з англ. мови для здоб. ступеня вищої освіти бакалавра вищих навчальних закладів МВС. К.: НАВС, 2019. 76с.
5. Англійська мова для правоохоронців : навч. посіб. / за заг. ред. Романюк О. І. К. : ДП “Друкарня МВС України”, 2005.
6. Англійська мова для студентів юридичних факультетів : навч. посіб. / В. М. Богущий. К. : РВЦ НАВС, 2013. Ч. 2. 253 с.

**Федіна О.**, курсант Національної академії внутрішніх справ

**Консультант з мови: Козубенко І.**

## **PREVENTING CORRUPTION AND BRIBARY IN NEW ZEALAND**

New Zealand has already made significant ground in the fight against organised crime. However, organised crime remains challenging to detect and to counter. It is also highly adaptable, moving rapidly to take advantage of vulnerabilities that may appear in legal and market settings,

technology, trade and financial systems. The response needs to be equally adaptable if New Zealand's success to date against organised crime is to be continued.

The purpose of the enhanced measures outlined in this document is to deliver safe communities, maintain our status as a trusted international partner, and ensure the integrity of and confidence in our markets.

Reducing drug-related harm in New Zealand communities is of paramount importance, but a proportion of robberies, theft and fraud are also linked to organised crime. Organised crime persists in most part because it is profitable. Individuals and businesses can knowingly and unknowingly demand illegal and illegally-sourced goods and services, offering opportunities for criminal exploitation and gain. Organised criminals can actively target the distribution and marketing of products to vulnerable populations, such as youth and those with dependencies. Effective measures and responses will reduce people's desire for illegal and illegally sourced goods and services, reduce the price they are willing to pay, and increase the risk and effort involved with offending.

The corruption of public and private sector gatekeepers and decision makers can be instrumentally important in achieving organised criminal aims. For example, corruption and bribery may help to:

- Facilitate the commission of an offence in a clandestine manner (e.g. allow drug shipments to enter a country or a corrections facility «undetected»)
- Gain access to commercially sensitive information
- Influence administrative decision-making for the benefit of parties offering the bribe or their associates (e.g. awarding of public contracts)

Bribery and corruption are not visible behaviours and a bribery transaction can be difficult to detect. As the parties to the transaction each receive some form of benefit, there are limited incentives for either party to disclose the payment to authorities. Some forms of bribery and corruption involve a high degree of subtlety – the criminality (as opposed to unethical behaviour) can be potentially hard to identify (e.g. conflicts of interest).

New Zealand has benefited from well-established governance and accountability systems within the public sector which promote transparency and integrity in decision-making. By international measures, New Zealand is regarded as one of the least corrupt countries in the world and there are few prosecutions for corruption and bribery-related offences. However, recent data suggests the level of corruption and bribery may be increasing.

This is not surprising as similar opportunities exist in New Zealand to those that attract corruption and bribery in other jurisdictions, for example, in areas of public administration of valuable contracts, and the granting of resource consents. Once a cycle of behaviour or expectation is in place it is difficult for either the payer of the bribe or recipient to alter their behaviour out of concern for their personal jeopardy. New Zealand companies operate in countries with endemic corruption, and like some companies elsewhere, risk engaging in illegal activity where the benefits appear to

outweigh the costs. In some cases, this may be seen as the inevitable cost of doing business in these particular markets and the criminality becomes normalised. Challenges include:

- Maintaining existing standards of integrity in public and private sector decision-making and avoiding complacency. The perception that New Zealand is corruption free may result in under-investment in internal controls, resulting in underidentification of risks and incidences of bribery and corruption

- Responding appropriately to incidents of corruption and ensuring that allegations are dealt with in appropriate forums (e.g. Courts as opposed to employment disciplinary processes). Treating corruption as an employment matter may downplay the seriousness of the incident and can contribute to perpetuation of the problem.

- Changing perceptions of criminality, promotion of whistleblowing and reporting of incidents of corruption

- Gaps in legal frameworks Actions underway to improve prevention and disruption of bribery and corruption include:

- Amending bribery and corruption offence provisions to align these with international standards and increase penalties for improved deterrence and criminal proceeds recovery

- Progressing ratification of UN Convention Against Corruption.

#### **Список використаних джерел**

1. Strengthening New Zealand's resistance to organized crime. An all-of-Government Response/ August 2011.

2. Who experiences crime? URL:  
<https://www.justice.govt.nz/justice-sector-policy/research-data/nzcass/survey-results/who-experiences-crime/>.

*Хандій К.,* курсант Національної академії  
внутрішніх справ

**Консультант з мови: Драмарецька Л.**

### **PROVIDING INFORMATION SECURITY**

In the conditions of modern global and regional information confrontations, destructive communicative influences, spread of information expansion and aggression, protection of the national information space and guarantee information security are becoming a priority strategic objectives of modern states in the system of global information relations [1, p. 28].

The principal provision of the Constitution of Ukraine (Law, 28.06.1996 №254к/96-ВР) in this area is art.17 that states, "The protection of the sovereignty and territorial integrity of Ukraine, provision of its economic and information security are the most important functions of the state, a matter of the whole Ukrainian nation" [2].

One could attempt to find some answers in the Law "On Information" (Law, 02.10.1992 №2657-ХІІ), which regulates relations

connected to information, the main aspects of state policy in the area, the right to information, its guarantees, establishes types of information, etc. [3]. However, the law is silent on the definition of information security.

Information security is an integrated component of national security. It is considered a priority function of the state. Information security, on the one hand, provides quality comprehensive information to citizens and free access to various sources of information, and on the other hand - it controls the spread of misinformation, promotes the integrity of society, preserves information sovereignty, counteracts negative information and psychological propaganda and protects national information space from manipulation, information wars and operations.

Attention to the problems of ensuring information security of Ukraine is due to anti-Ukrainian influences, which promote the ideas of separatism, violence, national enmity and are attempts to destroy Ukraine's national identity, interethnic harmony, encroach on the constitutional order of Ukraine, territorial integrity [1].

Information aggression and media fake epidemic spread worldwide have caused a serious need for responding to these phenomena in Europe at a global level.

The European Parliament became imbued with the approval of its own resolution on combating anti-European propaganda spread throughout the EU and reflected the basic principles of this counteraction in the Document called "EU strategic communication to counteract propaganda against it by third parties" adopted on November 23, 2016.

Following the example of the European Parliament and responding to the challenges of today in Ukraine, the Decree of the President of Ukraine № 47/2017 of February 25, 2017 approved the Doctrine of Information Security of Ukraine (hereinafter – the Doctrine). The Doctrine defines the national interests of Ukraine in the information area, the threats to their implementation, the directions and priorities of the state policy in the information area.

The Doctrine is based on the principles of respect for the rights and freedoms of citizens, respect for human dignity, protection of legitimate interests of individuals, of society and of the state, ensuring the sovereignty and territorial integrity of Ukraine.

The following bodies are directly involved into the implementation of the Doctrine: The National Security and Defence Council of Ukraine; the Cabinet of Ministers of Ukraine; the Ministry of Information Policy of Ukraine; the Ministry of Foreign Affairs of Ukraine; the Ministry of Defense of Ukraine; the Ministry of Culture of Ukraine; the Ukrainian State Film Agency; the National Council of Television and Radio Broadcasting of Ukraine; the State Committee for Television and Radio Broadcasting of Ukraine; the Security Service of Ukraine; the intelligence agencies of Ukraine; the State Service of Special Communications and Information Protection of Ukraine; the National Institute for Strategic Studies.

The priorities of the state policy on ensuring information security are:

- creation of an integrated information system of evaluating threats and rapid responding to them;

- legislative regulation of a mechanism of finding, fixing, blocking and deleting from the information landscape of the state, in particular, from the Ukrainian segment of the Internet, the information that threatens lives or health of Ukrainian citizens, promotes war, ethnic and religious hatred, invasive change of the constitutional system or violation of the territorial integrity of Ukraine;

- designation of mechanisms for regulation of operation activities of telecommunications companies, printing companies, publishers, broadcasters, TV and radio centers and other enterprises, institutions, organizations, cultural institutions and the media, and using of local radio stations, creation and development of structures responsible for information and psychological security, especially in the Armed Forces of Ukraine, based on the practice of NATO member states;

- development and protection of the technological infrastructure for ensuring information security of Ukraine;

- development of digital broadcasting, prevention of influence on its infrastructure of entities associated with the aggressor-state;

- building an effective and efficient strategic communications system;

- development of mechanisms for cooperation of the state with civil society in addressing the information aggression against Ukraine;

- strengthening capacity of the security and defense sector to counter specific information operations aimed at invasive change of the constitutional system, any violation of the sovereignty and territorial integrity, undermining the defense capacity of Ukraine, demoralization of the staff of the Armed Forces of Ukraine and of other military force, worsening of the socio-political situation;

- prevention of free circulation of information products (printed and electronic) primarily originated from the territory of the aggressor-state that contain propaganda of war, ethnic and religious hatred, invasive change of the constitutional system or any violation of the sovereignty and territorial integrity of Ukraine, provoking riots;

- conducting by the intelligence agencies of Ukraine of campaigns on promotion and protection of the national interests of Ukraine in the area of information, countering external threats to the state information security outside Ukraine;

- prevention of the use of the state information [4].

Thus, in the contemporaneous conditions of uncontrollable development of information technologies the presence of various informative threats became an integral part of the public reality. Contemporary informative risks have a strong influence on all spheres of social life and affect the national interests as well. The experience of Ukraine that got into the conditions of external military-informative

aggression can be an example in this context. The solution of the complex problem of information security will allow to protect the interests of society and the state, as well as to guarantee the rights of citizens to receive comprehensive, objective and high-quality information.

#### **Список використаних джерел**

1. Ільницька У. Інформаційна безпека України: сучасні виклики, загрози та механізми протидії сучасним інформаційно-психологічним впливам. *Львівська політехніка*. 2016. URL: [ena.lp.edu.ua:8080/bitstream/ntb/37314/1/7\\_31-36.pdf](http://ena.lp.edu.ua:8080/bitstream/ntb/37314/1/7_31-36.pdf).

2. Конституція України: Закон України від 28.06.1996 № 254к/96-ВР № 30. *Верховна Рада України*. С. 141. URL: <http://zakon5.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80>.

3. Про інформацію: Закон України від 2 жовт. 1992 № 48. *Відомості Верховної Ради України*. С. 650. URL: <http://zakon3.rada.gov.ua/laws/show/2657-12>.

4. The Doctrine of Information Security of Ukraine: The Decree of the President of Ukraine № 47. 2017. URL: <https://rm.coe.int/doctrine-of-information-security-of-ukraine-developments-in-member-sta/168073e052>.

**Хмелюк Ю.**, курсант Національної академії внутрішніх справ  
**Консультант з мови: Василенко О.**

### **CORRUPTION IN POLICE FORCES AND FIGHTING IT IN THE WORLD**

Police corruption is a specific form of police misconduct designed to obtain financial benefits, personal gain, career advancement for a police officer or officers in exchange for not pursuing or selectively pursuing an investigation or arrest or aspects of the thin blue line itself where force members collude in lies to protect other members from accountability. One common form of police corruption is soliciting or accepting bribes in exchange for not reporting organized drug or prostitution rings or other illegal activities.

Another example is police officers flouting the police code of conduct in order to secure convictions of suspects—for example, through the use of falsified evidence. More rarely, police officers may deliberately and systematically participate in organized crime themselves. In most major cities, there are internal affairs sections to investigate suspected police corruption or misconduct.

Accurate information about the prevalence of police corruption is hard to come by, since the corrupt activities tend to happen in secret and police organizations have little incentive to publish information about corruption. Police officials and researchers alike have argued that in some



countries, large-scale corruption involving the police not only exist but can even become institutionalized. One study of corruption in the Los Angeles Police Department (focusing particularly on the Rampart scandal) proposed that certain forms of police corruption may be the norm, rather than the exception, in American policing. In the UK, an internal investigation in 2002 into the largest police force, the Metropolitan Police, Operation Tiberius found that the force was so corrupt that "organized criminals were able to infiltrate Scotland Yard "at will" by bribing corrupt officers ... and that Britain's biggest force experienced 'endemic corruption' at the time".

Where corruption exists, the widespread existence of a Blue Code of Silence among the police can prevent the corruption from coming to light. Officers in these situations commonly fail to report corrupt behavior or provide false testimony to outside investigators to cover up criminal activity by their fellow officers. The well-known case of Frank Serpico, a police officer who spoke out about pervasive corruption in the New York City Police Department despite the open hostility of other members, illustrates how powerful the code of silence can be. In Australia in 1994, by 46 votes to 45, independent politician John Hatton forced the New South Wales state government to override the Independent Commission Against Corruption and the advice of senior police to establish a ground-breaking Royal Commission into Police Corruption

There are some areas in France that have a heavy presence of organised crime, such as Marseille, they are known to experience higher levels of police corruption. One explanation for institutional corruption in France is the hierarchical police system. This is due to higher rankings and specialised units having more discretion and being at higher risk of corruption.

Although France has many legal frameworks against corruption in place, one of them is Group of States Against Corruption (GRECO) which applies for all Council of Europe signatories. GRECO works by equally monitoring rights and obligations of the Council of Europe's Member States. Police are bound by the Recommendations on Codes of Conduct for Public Officials and Criminal Law Convention on Corruption. In 1993, The Central Service for the Prevention of Corruption was also established in France to prevent corruption and transparency of economical life and public procedures. There are a number of bodies that monitor and investigate police corruption in France. The Inspection Générale de la Gendarmerie Nationale enables consistency, independency and impartiality of inspections carried out by the Gendarmerie Nationale.

Inspection Générale de la Police monitors and regulates police behaviour and the Commission Nationale de Deontologie de la Securite (CNDS) monitors ethical and moral codes required to be upheld by security forces in France. Other strategies such as disabling officers to be on duty in their originating neighborhood and prohibiting officers from working in

private investigation for three years after leaving the police force are enforced to ensure impartiality.

Unfortunately, in a number of countries, such as China, Pakistan, Malaysia, Russia, Ukraine, Brazil or Mexico, police corruption remains to be one of the largest social problems facing their countries. So, conventional investigation methods and current legal systems should be adequate to win the battle against the corrupt.

#### **Список використаних джерел**

1. Corruption in different sectors. URL: <https://en.wikipedia.org/wiki/corruption>.

2. Kwok Man-Wai T. Investigation of Corruption Cases. The eleventh international training course on the criminal justice response to corruption visiting experts' papers. URL: [https://www.unafei.or.jp/publications/pdf/rs\\_no79/no79\\_19ve\\_man-wai2.pdf](https://www.unafei.or.jp/publications/pdf/rs_no79/no79_19ve_man-wai2.pdf).

3. Police Corruption. URL: [https://en.wikipedia.org/wiki/Police\\_corruption](https://en.wikipedia.org/wiki/Police_corruption).

***Черних Т.***, курсант Національної академії внутрішніх справ  
**Консультант з мови: Хоменко О.**

### **COMMUNITY POLICING: LAW ENFORCEMENT BEST PRACTICES**

In 2015, the reform of the National Police began, one of the steps of which was the creation of a legal framework governing the activities of the police in accordance with modern world standards.

Article 11 of the Law of Ukraine “On the National Police” clearly states that police activities should be carried out in close cooperation and interaction with the population, territorial communities and public associations on a partnership basis and should be aimed at meeting their needs [1].

Security is one of the most important values for a person, and cooperation between the police and the community is the best way to ensure it. This interaction is also called the English term Community Policing (CoP).

Community policing, or community-oriented policing (COP), is a strategy of policing that focuses on building ties and working closely with members of the communities. A formal definition states: Community policing is a philosophy of full service personalized policing, where the same officer patrols and works in the same area on a permanent basis, from a decentralized place, working in a proactive partnership with citizens to identify and solve problems [2].

The idea of police interaction with citizens "in a new way" arose in the United States in the 1960s as one of the consequences of the comprehensive Civil Rights Movement. Already in the 80s, the concept was called *community policing*, and in the 90s it was enshrined in law.

Modern policing rests upon the foundational precept that the effective control of crime, disorder, and fear requires community participation and assistance. Communities are vital sources of information about crimes, offenders, and ongoing criminal or social problems. Communities also encompass the interpersonal networks that form the basis for social cohesion and collective self-protective action. Using techniques of community policing and engagement, law enforcement agencies can obtain the information they need to solve problems proactively and facilitate the process of informal social control that generates ongoing, sustainable public safety.

The best or promising practices in the field are used by American police today:

- Create a comprehensive community policing strategic plan;
- Train all personnel on community policing — including overcoming distrust;
  - Foster an atmosphere of openness and transparency;
  - Adopt procedural justice as a guiding principle;
  - Prioritize law enforcement personnel safety and wellness;
  - Engage the community in a true partnership to address crime and disorder issues;
- Treat every contact as an opportunity to engage positively with a community member;
  - Measure social cohesion and work to develop relationships;
  - Reevaluate metrics of community policing success;
  - Incorporate community policing measures into the performance evaluation process.

When adopting new standards, agencies must also adopt new metrics to gauge how well they are meeting them. How law enforcement determines what outcomes matter, and how to measure them, is critical to success. It may require new data sets, new ways of looking at old data sets, and careful consideration of how these measures will be administered. If needed, subject matter experts should be consulted to develop new analytical platforms, community surveys, new policies, and evaluation techniques [3]. Although some would argue that reducing crime will itself build social cohesion, the reality is more complex.

In 2015, the New York Police Department (NYPD) adopted what it termed the NYPD Plan of Action and the Neighborhood Policing Plan. This plan had five key components:

- Establishing ownership among officers policing a specific geographic area;
- Building individual relationships between the officers policing a specific area and the residents of that area;

- Eliminating overspecialization, which had created silos within the organization and made the NYPD less effective in addressing the drivers of crime and disorder;

- Creating a greater sense of job satisfaction by working through problems systematically, rather than simply addressing the one problem and moving on to the next;

- Structuring the patrol force into three tiers or layers, creating the basis for a structured career path within the organization.

In 2017, New York City saw its lowest violent crime numbers in decades. Under this plan, the department still embraces a comprehensive crime-fighting strategy, but one built on improved communication and collaboration between local police officers and community residents [4].

The Austin (Texas) Police Department (APD) exemplifies the benefits of partnering closely with local community groups to update critical policies. The APD worked with leaders of the grassroots Austin Justice Coalition to update its policy on use of force. The updated policy included elements for which groups such as the Texas Civil Rights Project and the Austin Branch of the National Association for the Advancement of Colored People have long advocated.

Law enforcement – and the community’s expectations of law enforcement agencies – has been catapulted to the forefront of public discussion. Today, chief executives face the traditional task of controlling crime, disorder, and fear, alongside the equally important need to earn community trust, participation, and cooperation – all while operating in the new environment created by an ever-expanding social media universe. The techniques and philosophy that underpin community policing continue to evolve to acknowledge the history of local communities and to respond to contemporary concerns and technologies more effectively.

In Ukraine, this initiative is implemented by the Legal Development Network, *Dream Kyiv*, the Human Rights Information Center, the *Expert Center for Human Rights* together with the Patrol Police Department.

At present, Ukraine already has experience of effective cooperation between the community, police, local government, medical institutions, probation services and other public services in solving various security problems. These projects are most active in several settlements, in particular, in Kyiv, Poltava, Sumy, Trostyanets, Khmelnytsky region, Odesa region and others. In addition, many initiatives are carried out by human rights and other NGOs.

#### **Список використаних джерел**

1. Закон України «Про Національну поліцію» : від 2 лип. 2015 р. № 580-VIII. URL: <https://zakon.rada.gov.ua/laws/show/580-19>

2. Bertus, Ferreira. *The Use and Effectiveness of Community Policing in a Democracy*. Prod. National Institute of Justice. Washington, D.C., 1996.

3. Higgins and Hunt. Collective efficacy: taking action to improve neighborhoods. National Institute of Justice Journal / Issue No. 277 September 2016.

4. "Neighborhood Policing," New York City Police Department, accessed July 17, 2018. URL: <https://www1.nyc.gov/site/nypd/bureaus/patrol/neighborhood-coordination-officers.page>.

*Чечель С., здобувач ступеня  
вищої освіти Національної  
академії внутрішніх справ  
Консультант з мови: Зубенко В.*

### **THE ROLE OF UKRAINE IN COMBATING TRAFFICKING IN PERSONS. INTERNATIONAL EXPERIENCE**

The Criminal Code of Ukraine define trafficking in persons like sale, or any other illegal deals with regard to a person, as well as entrapment, movement, concealment, or transfer of that person for the purpose of exploitation, involving deceit, blackmail or vulnerable state of a person [1, ar.149].

The human trafficking of domestic and foreign victims occurs in Ukraine, and human trafficking of victims from Ukraine takes place abroad. Ukrainian victims are exploited in sex trafficking and forced labor in Ukraine as well as in Russia, Poland, Germany, and other parts of Europe, People's Republic of China, Kazakhstan, and the Middle East. Some Ukrainian children and vulnerable adults are exploited via forced begging. Traffickers target persons from the Roma community, due in part to their lack of access to state social assistance programs. A small number of foreign nationals are exploited in forced labor in Ukraine. A growing number of forced labor victims in Ukraine and abroad are exploited in a variety of sectors, including construction, agriculture, manufacturing, domestic work, the lumber industry, nursing, and street begging. The number of foreign victims in Ukraine has fallen dramatically since the beginning of hostilities in eastern Ukraine, although smuggled migrants transiting Ukraine are vulnerable to trafficking. Increasingly, low-skilled laborers remain vulnerable to labor exploitation. Traffickers target low-skilled workers transiting Ukraine. The approximately 104,000 children institutionalized in state-run orphanages are at particularly high risk of trafficking. Officials of several state-run residential institutions and orphanages were allegedly complicit or willfully negligent in the sex and labor trafficking of girls and boys under their care.

The Government of Ukraine is doing significant efforts for the elimination of trafficking according to requirements EU standards. These efforts included increasing investigations, more than doubling the number of traffickers convicted, investigating more cases of forced labor, proposing

draft legislation to eliminate recruitment fees, and granting official status to more victims who were incarcerated abroad for crimes their traffickers compelled them to commit.

Virtually, every country in the world is affected by these crimes. In the world, an estimated 40.3 million people are entrapped in modern slavery—from women forced into prostitution or domestic servitude, girls forced to marry older men, children forced to support armed groups, or men forced to work in construction or agriculture. Whether through deception, threats, or violence, roughly one in every 192 people alive today find themselves in exploitative situations that they cannot leave. Trafficking is the fastest growing criminal industry in the world, second only to drug dealing in terms of its moneymaking potential [2, p. 1-6].

The global problem is that human trafficking has acquired transnational character.

Unlawful trans-boundary movement can be an individual action, or an enterprise developed by a group that engages in that activity for profit.

Without distinguishing between the wide range of factors involved in this practice, member states of the European Union have for the past two decades raised significant concern regarding trafficking in response to a collection of diverse issues including: international labor migration, the victimization of women and children, the impact of conflict on vulnerable populations, and issues related to refugees.

#### **Список використаних джерел**

1. Criminal code of Ukraine, Kyiv, April 5. 2001. № 2341-II.
2. Dr. Ranee Khooshie Lal Panjabi, Born Free Yet Everywhere in Chains: Global Slavery in the Twenty-First Century, 37 Denver Journal of International Law and Policy (2008).
3. Oleksii Pozniak, Human trafficking trends in Ukraine, CARIM-East Explanatory Note 13/67, Demographic-Economic Module May, 2013 Consortium for applied research on international.

**Чухрай Д.,** здобувач ступеня вищої освіти Національної академії внутрішніх справ  
**Керівник з мови: Могилевська В.**

### **IRELAND: STATISTICS ON CRIMES**

Ireland, also known as the Republic of Ireland, is a country in north-western Europe. The capital city is Dublin. The population for 2020 is about 5 million people. The following statistics have been made by «UNODC International Homicide Statistics» («United Nations Office on Drugs and Crime International Homicide Statistics»). Statistics show the rate and the number of homicides in Ireland.

In 2018, homicide rate for Ireland was 0.9 cases per 100,000 population. Though Ireland homicide rate fluctuated substantially in recent

years, it tended to decrease through 1999 - 2018 period ending at 0.9 cases per 100,000 population in 2018. In the period from 2008 to 2018, the level was stable at 0.8-1.3 cases per 100,000 population. This is the top 18 place in the world.

In 2018, the number of homicides in Ireland was 42. This is the average for the previous 10 years. In 2007 there were 78 murders, and the next year, 2008, the number was reduced by a third (from 78 to 51). The next 2 years (2009, 2010), the number grew by 2 people per year. But in 2011 there is a sharp drop of 24% (from 55 to 42). The main reason for the increase and later a sharp decline may be the economic crisis of 2008, consequences of which were felt in 2009 and 2010 in the form of a decrease in GDP (Gross domestic product), a decrease in jobs and an increase in unemployment. The economic situation was improved cardinally in 2011, when the European Union provided economic assistance to Ireland.

In 2014, number of homicides by firearm for Ireland was 17. In 2007-2010 average number was 22. Though Ireland number of homicides by firearm fluctuated in recent years, it tended to decrease through last 10 years. Ireland homicides by firearm rate was at level of 0.4 cases per 100,000 population. This is the top 25-30 places in the world.

Ireland assault rate was at level of 93.5 cases per 100,000 population in 2018. In 2008 was at level of 366.5 cases per 100,000 population. Between 2012 and 2013 was the sharp drop, from 294,4 cases per years to 66,9 cases per years.

“Kidnapping” means unlawfully detaining a person or persons against their will (including through the use of force; threat; fraud or enticement) for the purpose of demanding for their liberation an illicit gain or any other economic gain or other material benefit; or in order to oblige someone to do or not to do something. “Kidnapping” excludes disputes over child custody.

In 2017, kidnapping rate for Ireland was 1.6 cases per 100,000 population. Though Ireland kidnapping rate fluctuated substantially in recent years, it tended to decrease through 2003 - 2017 period ending at 1.6 cases per 100,000 population in 2017.

The police are responsible for the fight against crime in Ireland. In Ireland it is called Garda. «An Garda Síochána» in Irish, which means the «Guardian of the Peace». The service is headed by the Garda Commissioner who is appointed by the Irish Government. Its headquarters are in Dublin's Phoenix Park. The Garda structure throughout the country currently includes about 15,000 people, including civilian specialists. All of the above crimes are investigated by the Garda National Bureau of Criminal Investigation.

There are a number of types of Community Crime prevention programmes, which help to involve the population in the fight against crime.

Neighbourhood Watch, for example, is a crime prevention and community safety programme for urban areas. It operates as a partnership

between An Garda Síochána and the public. It works on the basis that every member of a community can help to improve the quality of life in the area by keeping a look out for neighbours and reporting suspicious activities to the Gardaí. Neighbourhood watch programmes aim to improve community safety, prevent crime, develop Garda and community links, increase public confidence in An Garda Síochána, foster a caring environment for older and vulnerable people and reduce anti-social behaviour, including graffiti and harassment.

Community Alert is a community safety programme for rural areas with an emphasis on older and vulnerable people. It operates as a partnership between the community, An Garda Síochána and Muintir na Tíre (national Irish voluntary organisation dedicated to promoting the process of community development.). It works on the principle of shared responsibility for crime prevention and reduction. Community Alert programmes aim to foster the process of community development, reduce opportunities for crimes to occur, unite communities in a spirit of neighbourliness and community service and to devise programmes to improve the quality of life for all in rural communities.

Text Alert enables communities to set up a group to receive alerts advising them of suspicious or criminal activity in their area. As well as ensuring awareness among users of the service, it can also lead to them reporting suspicious activity to Gardaí. Sending the information by text means that it can be disseminated rapidly to a large amount of people in a cost-effective way. Text Alert is a one-way system, and operates on the following principles:

- Member(s) of the public reports incident to the Gardaí (24-hour Garda District -Telephone number which is widely advertised);
- The reporting Garda verifies details and determines that the "Text Alert" system should be utilized;
- Garda sends text or e-mail out to each registered "Community Contact" in their Garda District;
- Each "Community Contact" forwards the text to their "Community Group" to advise the public to watch out and report any developments. If the information is received by e-mail the Community Contact may forward the e-mail or convert the content to SMS Text and send to their Community Group.

More useful information can be found on the official website of the Garda Síochána in the section «crime» and «crime prevention», which describes in detail crimes, the places and times where and when they most often occur, the algorithm of actions when crime is detected.

So, the relatively low level of crimes against human life in Ireland is ensured by the active cooperation of the police and the population, programs which involve the population in crime prevention. The economic situation in the country also has an important role, because there is inextricable link between the economic situation and rising crime, as evidenced by the statistics above.



### Список використаних джерел

1. Official website of the Garda Síochána. URL: <https://www.garda.ie/en/>.
2. Statistics – Ireland. URL: <https://knoema.com/atlas/Ireland?origin=knoema.ru>.
3. UNODC International Homicide Statistics. URL: <https://www.unodc.org/unodc/en/data-and-analysis/global-study-on-homicide.html>.

*Шахрай Д.,* курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Скриник М.**

## COUNTERING THE GAMBLING BUSINESS

One of the sectors that financial criminals see as a target for money laundering and terrorist financing is the Gaming and Gambling industry. Money laundering techniques are used to convert funds from criminal activities into legal money in the Gaming and Gambling industry. Gaming and gambling businesses have specific responsibilities to prevent these crimes.

All gaming and gambling industries are subject to the Proceeds of Crime Act (POCA). The gaming and gambling industry is also subject to and has to comply with national or local regulations such as Moneyval, FATF, and European Union Directives in order to anti-money laundering and terrorist financing. In addition to the regulations, each gambling business has to have a comprehensive AML Compliance Program suitable for its business.

The United States has some regulations for legal gambling states. One of the main regulators has the authority to review the Financial Crimes Protection Network (FinCEN) gambling businesses for compliance with the Bank Privacy Act (BSA) and violations of the law. But FinCEN has delegated its compliance review authority to the Internal Revenue Service (IRS). If the IRS detects a significant BSA violation in both its casino and its review, FinCEN initiates an investigation into that casino, and an administrative penalty is imposed on the casino based on the outcome of the investigation. At this point, FinCEN and IRS cooperate to detect BSA violations in casinos in the USA and to take criminal action. The U.S. Bank Privacy Act (BSA) has some regulatory requirements for the gaming and gambling industry, including:

- Creation of Suspicious Activity Reports (SARs) when at least \$ 5,000 suspicious transactions are carried out
- Creating Currency Transaction Reports (CTRs) in cash inflows and outflows in excess of \$ 10,000
- Application of the most suitable AML compliance programs within the casino

- Keeping track of customers' debts or loans, such as credit extensions over \$ 10,000, and keeping those records for up to five years

Besides BSA, FinCEN also has some regulations and recommendations for the industry. FinCEN, published in 2010 for the gaming gambling industry, contains the following information:

- An internal control system should be created to ensure continuous compliance with BSA.

- Training of casino staff to identify unusual or suspicious transactions

- Making and keeping a record required under BSA

- Eligibility tests for money laundering and terrorist financing risks resulting from the products and services provided

- Determining the name, address, social security or taxpayer-identification number and other identifying information for a person

There are some regulations for controlling the Australian or gaming and gambling industry and reducing risks. In Australia, AUSTRAC regulates some commercial activities in the gambling sectors with the Money Laundering and Counter-Terrorism Financing Law published in 2006. If a gambling business has a geographic connection with Australia, AUSTRAC is considered a legal entity that has to report. Under the law, casinos have obligations such as notifying AUSTRAC of some business activities and transactions, keeping records, and conducting the AML / CTF program.

In Australia, gambling agencies or bookmakers, Casinos, Bars, clubs, and providers of electronic gaming machines under the gaming and gambling industry are subject to these regulations. Australia is also the gambling jurisdiction with one of the strictest compatibility requirements in the world.

Another Australian gambling regulator is the National Consumer Protection Framework (NCPF). The purpose of NCPF is to introduce a variety of regulations that focus on minimizing the harms of risks such as money laundering in the gambling industry responsible for the execution of online bets in Australia.

The European Union does not have direct industry-specific E.U. legislation in the field of gambling services for the Gaming and Gambling industry. As required by the E.U. Court of Justice, EU countries may arrange their own gambling services if they comply with the basic rules established under the Treaty on the Functioning of the European Union (TFEU). E.U. countries are also allowed to offer some games of chance through the Internet. In some European countries, monopolistic regimes that provide online gambling services have been established. A government-controlled public operator manages these serving online gambling services.

In addition, many E.U. countries have installed licensing systems that allow multiple operators to offer services in the market. Online gambling regulation in E.U. countries is determined and established according to established legal rules.

The European Union commission supports efforts to modernize national online gambling legal frameworks in E.U. countries. In addition, it supports all consumers to ensure a high level of protection.

Anti-Money Laundering Directive is mandatory for all gambling businesses. This is because some gambling products have a high risk of money laundering. It is seen that ineffective controls cause land-based betting and poker situation. Member States may decide to grant a full or partial exemption to gambling businesses. On the other side, the online gambling industry also has high risks due to a large number of transaction flows and a lack of face-to-face interaction. Despite the high-risk exposures of casinos, it has had a mitigating effect since 2005 to counter money laundering and financing of terrorism. Lottery and game machines offer a moderate risk of money laundering and terrorist financing. In addition, black-based bingo offers a low risk of money laundering and terrorist financing due to relatively low bets and winnings.

In general, 4AMLD directives are also aimed at performing procedures such as Know Your Customer (KYC), Customer Due Diligence (CDD) in the gaming and gambling industry. With these procedures, casinos can identify the risks posed by their customers, evaluate them, and take the necessary measures.

#### ***Penalties for the Gaming and Gambling Industry***

All gambling businesses in the world are subject to a local or national AML regulation. The main purpose of these regulations is to minimize or eliminate money laundering and terrorist financing risks in this sector. These risks can be reduced by procedures such as Know Your Customer (KYC) and Customer Due Diligence (CDD) recommended by regulators. Enterprises in the Gaming and Gambling industry must comply with these regulations and obligations. If they do not, criminal proceedings are initiated against these institutions.

Unfortunately, this is a fact that some gaming and gambling businesses do not comply with these regulations, so and criminal proceedings are initiated about them. A notable striking example is that The U.K. Gambling Commission stated that the two online gaming companies would pay a total of £ 2.8 million, as they are delayed in following their respective money laundering (AML) compliance programs. Osaka-based Platinum Gaming Ltd and London-based Gamesys Ltd did not implement adequate AML control and received this penalty because they did not protect their customers from possible gambling risks.

In addition to this example, FinCEN has also criminalized some gambling industries that do not comply with the regulation. Between 2003 and 2014, FinCEN imposed three criminal penalties of \$ 1.6 million against casinos. In contrast, between 2015 and 2016, he applied approximately \$ 110 million in a criminal action to casinos and has made four major sanctions since 2016.

### Список використаних джерел

1. New perspective of nanotechnology. URL: <https://link.springer.com/article/10.1186/s41935-018-0088-0>.
2. Journal of Applied Sciences. URL: <https://scialert.net/fulltextmobile/doi=jas.2010.1873.1884>.
3. Sanction Scanner. URL: <https://sanctionscanner.com/blog/aml-regulations-for-gaming-and-gambling-industry-209>.

*Шевчук Ю.*, курсант Національної академії внутрішніх справ  
**Консультант з мови: Марченко І.**

### CRIMES AGAINST CHILDREN

Children are some of the most vulnerable members of our society and can be victims of various forms of violence.

Images of child sexual abuse found on the web are not virtual; they are a crime involving real children and real suffering. Most people don't realize that when we talk about child sexual abuse, this includes the abuse of very young children, and even babies. Following the examination of random selection of videos and images in the ICSE database, INTERPOL and ECPAT International published a joint report in February 2018 entitled Towards a Global Indicator on Unidentified Victims in Child Sexual Exploitation Material. The study identified a number of alarming trends:

- the younger the victim, the more severe the abuse.
- 84% of images contained explicit sexual activity.
- more than 60% of unidentified victims were prepubescent, including infants and toddlers.
- 65% of unidentified victims were girls.
- severe abuse images were likely to feature boys.
- 92% of visible offenders were male.

Sexual abuse and exploitation, trafficking, forced labour and abduction: these are just some of the dangers faced by children around the world today. INTERPOL works to address those crimes that have an international dimension. To help trace missing children, it issues Yellow Notices, while their human trafficking experts work alongside member countries to rescue child victims of trafficking and forced labour.

The global reach and anonymity of the Internet have greatly facilitated the distribution of child sexual abuse material, and access to it. Offenders can now produce, exchange and even direct live video of children – even babies – being abused. They can also come into direct contact with children via social networks and chat functions in games or apps. The priority of the Interpol's Crimes against Children unit is to identify and rescue young victims of sexual abuse; block access to child

sexual abuse material and prevent sex offenders from travelling abroad to abuse children or escape justice [1].

The Crimes against Children unit helps specialized units work across borders and sectors to ensure criminals don't exploit children. Its main activity is to help police to identify victims of child sexual exploitation, by analysing photos and videos found on the Internet or on seized devices. Its database of images is available to specialized experts, and supports traditional police investigations. Its staff also provides opportunities for experts to their skills and networks, leading to more effective investigations.

The identification of young victims portrayed in sexual abuse material is a top priority for law enforcement, as it can also help locate the perpetrators. Crucial to the work is the International Child Sexual Exploitation image database, which uses sophisticated image comparison software to make connections between victims and places. Prevention of access to child material online is complementary to investigative work, and stops re-victimization of the children abused. Interpol works closely with Internet service providers to block access to child abuse material online. Victim identification involves the detailed analysis of images and videos to locate and rescue child sexual abuse victims. Online child sexual abuse is one of the rare crime areas where police officers start with the evidence and work their way back to the crime scene. The images can either be discovered through child exploitation investigations, proactive monitoring of online platforms, forensic analysis of seized mobiles, laptops, digital storage units, etc. Once images are found, victim identification specialists take over. They go through the images with a fine-toothed comb with the objective of removing the child from harm and arresting the abuser [3].

Some sex offenders cross borders to abuse children, allowing them to stay out of sight of their home authorities and gain unsupervised access to children.

INTERPOL can issue a Green Notice to warn about a person's criminal activities, where the person is considered a threat to children, or a Blue Notice to collect information on a person's identity, location or activities in relation to a crime. At the request of any member country, they can issue a Yellow Notice to help locate missing persons, especially minors. These notices are circulated on an international basis and recorded in its database of missing and abducted children. They also work closely with partners to protect minors from being trafficked and exploited for labour [2].

Contrary to common beliefs about sexual abuse, the abuser is most often a person known to the child, such as a family member, neighbour or childcare professional. The vast majority of child sexual abuse cases are not documented, mostly taking place behind closed doors in private settings. When the abuse is recorded or photographed, however, what is really being documented is evidence of a serious crime. Abusers often use the images for future sexual gratification, or to be traded and shared with other abusers.

A core function of the specialized experts in the area of training is to help police in EU member countries to build their capacity to investigate child sexual exploitation. The staff organizes training courses in all regions

of the world that cover the entire scope of child sexual abuse investigations: conducting investigations in the online environment; the use of INTERPOL's International Child Sexual Exploitation database; victim identification methods; victim and offender interview techniques; categorization of child sexual abuse material.

While many countries have child protection and special victims units, few have specialized staff able to investigate online child sexual abuse cases or perform victim identification. Specialized officers can advise countries on how to set up victim identification units and can provide tailored support to national authorities.

The INTERPOL Specialists Group on Crimes Against Children meets annually to facilitate and enhance the investigation of sexual crimes against children. Gathering law enforcement, regional and international organizations, NGOs, the private sector and academia, the group identifies new trends and techniques and develops best practice. Private sector partners such as financial institutions, internet service providers and software developers also play a crucial role in tracking child sexual abuse material and shutting down illegal distribution channels. Their input is highly valued and a key part of our coordinated approach.

#### **Список використаних джерел**

1. URL: <https://www.interpol.int/Crimes/Crimes-against-children> (дата звернення 30.09.2020).
2. <https://www.interpol.int/Crimes/Crimes-against-children/Our-response-to-crimes-against-children> (дата звернення 30.09.2020).
3. <https://www.interpol.int/Crimes/Crimes-against-children/Victim-identification> (дата звернення 30.09.2020).

*Шупик О.*, курсант Національної академії внутрішніх справ

**Консультант з мови: Марченко І.**

### **COVID-19 A BIOLOGICAL WEAPON?**

As the economic and health risks of the COVID-19 pandemic are predicted to persist into next year, there are growing reservations about society returning to normal. The impacts of COVID-19, like the 2008 financial crisis and the 2001 September 11th attacks before, are changing global consciousness and reopening uncertainties about security, privacy and public health. Unfortunately, the current COVID-19 pandemic reveals systemic infrastructural and security deficiencies that rendered countries [3]. This could have been avoided with better preparedness. However, preparedness requires maximum co-operation and transparency between government, researchers and industry. As countries experience the ongoing economic and public health shocks caused by COVID-19, rogue actors seeking to take advantage of the pandemic may use bioweapons to similar effect.

Any biosecurity threat or epidemic could easily become a global concern. Pathogens do not recognize borders and will spread indiscriminately, ultimately disproportionately affecting poorer nations. Globalization – which is being analyzed as a contributor to the spread of COVID-19 – could also help thwart the spread of man-made or naturally occurring diseases, provided multilateral co-operation remains intact. The response has to be global because pandemics and terror attacks have persisting and grave effects, not tied specifically to a single state and its economy [2]. Governments must take a proactive stance against the growth and development of deadly pathogens (engineered or naturally occurring), which might require an overhaul of the socioeconomic and political relationships that govern health and our shared environments.

The most crucial response is intergovernmental collaboration and compliance with medical experts. This would involve the sharing of information and effective mitigation strategies against bioterrorism. The remarkable and unprecedented global unity today is demonstrated by scientists freely sharing information related to COVID-19 to speed up the development of a vaccine.

Governments and their collaborators must also stop the spread of disinformation to quell panic and alleviate the public's fears. This includes maintaining public trust in experts which must be differentiated from popular and political opinions that have led to chemical poisoning [2]. This has also been exacerbated with ongoing distrust for WHO officials as false claims and pandering to China has led to failures in the initial response to COVID-19 including indecision within the scientific community. Terrorist organizations will undoubtedly use the spread of bioweapons to create civil turmoil and instability, reinvigorating or inciting national contentions such as scarcity, ethnic tension or religious infighting. This applies to countries already destabilized by entrenched conflicts, which can rapidly metastasize through competition and inequality already present in developing countries. Overcoming pandemics and terrorism will inevitably rely on national infrastructure such as employing the military, which the Canadian government has done to supplement medical resources. Deploying a nation's armed forces has the potential to apply the vast resources, equipment and labour that an organized and skilled military maintains.

Preventing the bioengineering, emergence, release and spread of pathogens will require aggressive strategies. These include implementing regulations against the mistreatment and harvesting of wild and domestic animals to prevent their mixing and the unintentional mixing of viruses and infectious diseases [2]. Managing land reclamation and protecting habitats can prevent biodiversity loss and reduce human contact with pathogenic viruses.

Other technologies in the fight against bioterrorism or pandemics include heightened surveillance and tracking in the form of smartphones and drones. Deployable 3D isolation units repurposed as mobile laboratories could also quickly respond to bioweapons threat.

To guarantee safety, the public has to be willingly compliant with government policies. In Canada, closing the national border and enacting quarantine Laws mitigated the spread of COVID-19, but the public's co-operation was essential to the public good [2].

Recommendations from health-care professionals and epidemiologists must be implemented at every stage, and directed by governments. The consequences of neglecting to act expeditiously are apparent in the United States, which has been marred by bureaucratic red tape, equipment scarcity and vacillating in leadership responses. Lessons from previous pandemics can prepare us for both future inevitable global outbreaks and possible bioterrorist attacks.

Biological weapons have been and remain until today a very plausible threat, with numerous cases of use in history. Nowadays, with the spread of terrorist organizations in some regions of the world and in unstable countries which are suspected to have continued developing biological warfare programs, the threat posed by bioweapons is becoming more and more pressing. Furthermore, if biological weapons are Weapons of Mass Destruction, which means that they have the objective of causing public panic, leading to social disruption and eventually mass destruction, they are also known to be efficient for isolated assassination [1]. One of the most recent cases demonstrating this probability is the Anthrax letters in 2001 in the USA, when letters full of Anthrax bio-agent were specifically sent to US politicians and journalists. Nevertheless, one should not confuse these realistic threats with other darker theories about Covid-19. Thanks to the information about biological weapons, we can now find some arguments going against the unfounded concerns about the eventuality to weaponize recent viruses like Ebola or Covid-19. First, Covid-19 like Ebola, are not airborne viruses, which means that to be used as a Biological Weapon, it would rely on the transmission from person-to-person, and not on a delivery via an aerosol for instance, which is known to be the most efficient way to spread a biological agent [1]. Additionally, Covid-19 and Ebola are very unstable viruses and would be extremely difficult and dangerous to weaponize since no vaccines are yet available, and since it would require a BSL4 Lab (Biosafety level 4 is the highest level of biosafety precautions) to manipulate these viruses. And as previously mentioned, these laboratories are in limited numbers. Now yes, one could argue that the Wuhan Institute of Virology in China, originally a BSL3 Lab, was recently completed by a BSL4 facility in 2015, and therefore could have been able to manipulate this virus, and it did after the discovery of the new coronavirus. But the probability that this virus could have been created by biologists in the BSL4 Lab in Wuhan is very low, since SARS-CoV-2 does not look like any viruses already known by the scientific community, which could have served as a base to create this new virus. Indeed, until now, scientists have been able to create new viruses, only based from already existing viruses, and by changing a very small genome sequence of that virus [1]. For COVID-19, the origin of the virus is still unknown. A study published in



February 2020 by the Wuhan Institute of Virology identifies the bat coronavirus RaTG13 as the closest parent of SARS-CoV-2, sharing 96,2% of their overall genome sequence identity. A second study from the Hong Kong University and Guangdong-Hongkong Joint Laboratory of Emerging Infectious Diseases shows that a group of beta-coronaviruses found in the pangolin species are even closer, with 97,4% similarities with the SARS-CoV-2 amino acid sequence. However, despite their apparent close parental ties, in genetic these differences are too big to assume that SARS-CoV-2 could have been elaborated in a lab, by human hand.

If questions still remain regarding the emergence of the virus, no valid proof can support the theory that the SARS-CoV-2 was weaponized and intentionally released by the Chinese. Nonetheless, this crisis makes us reflect on Biological threats in general and their consequences: biological hazards are a threat not only to our health but also to our economies, and our social and political models, and will need to be taken more seriously and better address in the future.

#### **Список використаних джерел**

1. Ophelie Guillouet-Lamy, Analyst, IB Consultancy URL: <https://nct-magazine.com/nct-magazine-may-2020/covid-19-a-biological-weapon-a-guide-to-biological-weapons-to-answer-that-question/> (дата звернення 26.10.2020).

2. Trushar R. Patel Assistant Professor and Canada Research Chair, Department of Chemistry and Biochemistry, University of Lethbridge URL: <https://theconversation.com/the-covid-19-pandemic-can-prepare-us-for-future-outbreaks-and-bioterrorism-136685> (дата звернення 26.10.2020).

3. <https://www.interpol.int/Crimes/Terrorism/Bioterrorism> (дата звернення 26.10.2020 р.).

**Щур С.,** курсант Національної академії внутрішніх справ

**Консультант з мови: Хоменко О.**

### **THE USA EXPERIENCE IN COMBATING CYBER-CRIME**

Words and phrases that scarcely existed a decade ago are now part of our everyday language, as criminals use new technologies to commit cyberattacks against governments, businesses and individuals. These crimes know no borders, either physical or virtual, cause serious harm and pose very real threats to victims worldwide [1].

Cybercrime is any criminal activity that involves a computer, networked device or a network. Malicious cyber activity threatens the public's safety, national and economic security.

In the United States, at the federal level, there is the Federal Bureau of Investigation's (FBI) Cyber Division which is the agency that is charged with combating cybercrime [3]. The FBI's goal is to change the behavior of criminals and nation-states who believe they can compromise US networks,

steal financial and intellectual property, and put critical infrastructure at risk without facing risk themselves. To do this, they use their unique mix of authorities, capabilities, and partnerships to impose consequences against their cyber adversaries [2].

The FBI is the lead federal agency for investigating cyberattacks and intrusions. They collect and share intelligence, engage with victims while working to unmask those committing malicious cyber activities, wherever they are. So the FBI's cyber strategy is to impose risk and consequences on cyber adversaries through their unique authorities, their world-class capabilities, and their enduring partnerships [2].

Whether through developing innovative investigative techniques, using cutting-edge analytic tools, or forging new partnerships in the USA communities, the FBI continues to adapt to meet the challenges posed by the evolving cyber threat. The FBI has specially trained cyber squads in each of their 56 field offices, working hand-in-hand with interagency task force partners. What is more this rapid-response Cyber Action Team can deploy across the country within hours to respond to major incidents [2].

Internet fraud does not have traditional boundaries as seen in the traditional schemes. No one knows the full extent of the fraud being committed on the Internet. Not all victims report fraud, and those who do, do not report it to one central repository. For traditional fraud schemes the FBI has systems in place to identify and track fraud throughout the country. In addition to the basic investigative steps required in any investigation, cybercrime investigations require that new types of questions be asked, new clues looked for, and new rules be followed concerning the collection and preservation of evidence. In order to successfully conduct these investigations, investigators require significantly advanced skills. As a result, the development of a proactive strategy to investigate Internet fraud through the establishment of an Internet Fraud Complaint Center (IFCC) as a central repository for criminal complaints was essential. The IFCC is a joint operation with the FBI and the National White Collar Crime Center (NW3C).

The IFCC was necessary to adequately identify, track, and prosecute new fraudulent schemes on the Internet on a national and international level. It serves as a clearinghouse for the receipt, analysis, and dissemination of criminal complaints concerning frauds perpetrated over the Internet. IFCC personnel collect, analyze, evaluate, and disseminate Internet fraud complaints to the appropriate law enforcement agency. Also the IFCC provides a mechanism by which the most egregious schemes are identified and addressed through a criminal investigative effort.

The IFCC identifies current crime problems, and develops investigative techniques to address newly identified crime trends. The information obtained from the data collected is providing the foundation for the development of a national strategic plan to address Internet fraud.

Public awareness of the existence and purpose of the IFCC is paramount to the success of this effort. The IFCC provides a convenient and

easy way for the public to alert authorities of a suspected criminal activity or civil violation. Victims of Internet crime are able to go directly to the IFCC web site ([www.IFCCFBI.gov](http://www.IFCCFBI.gov)) to submit their complaint information, relieving considerable frustration for the victim in trying to decide which law enforcement agency should receive the complaint.

The FBI web page also aids in this effort. A detailed explanation of the complaint center, its purpose and contact numbers, is provided so that consumers can report Internet fraud. The FBI web page provides victims with a hyperlink to the IFCC web page [4]. The Internet Crime Complaint Center (IC3) collects reports of Internet crime from the public. When CyWatch is the FBI's 24/7 operations center and watch floor, providing around-the-clock support to track incidents and communicate with field offices across the country [2].

The FBI has taken a number of other steps to address cybercrime. The National Infrastructure Protection Center (NIPC) was created in February, 1998, and was given a national critical infrastructure protection mission per Presidential Decision Directive (PDD) 63. The NIPC mission includes: detecting, assessing, warning of and investigating significant threats and incidents concerning our critical infrastructures. It is an interagency center physically located within the Counterterrorism Division at FBI headquarters.

In conjunction with the center, the FBI created the National Infrastructure Protection and Computer Intrusion Program (NIPCIP) as an investigative program within the Counterterrorism Division. The FBI has 56 field offices with NIPCIP squads with 16 regional NIPCIP squads, which are comprised of specially trained investigators and analysts. Initial investigations into computer intrusion matters have been primarily conducted by NIPCIP squads. During the course of such investigations, it is increasingly found that the intrusion was merely the first step in a more traditional criminal scheme involving fraud or other financial gain.

In addition, the FBI continues to develop and operate cybercrime task forces consisting of investigators and resources from other federal agencies as well as state and local agencies. The FBI considers such task forces an efficient and effective means to leverage resources and expertise in coordinating investigations into cybercrime. The complex nature of cybercrime investigations make cooperation and coordination among law enforcement agencies vital in this area. Cybercrime task forces provide an invaluable mechanism to cover investigative areas that cross jurisdictional and program lines. The FBI plans to aggressively pursue development of such task forces in all FBI field divisions[4].

Cybercrime is progressing at an incredibly fast pace, with new trends constantly emerging. Cybercriminals are becoming more agile, exploiting new technologies with lightning speed, tailoring their attacks using new methods, and cooperating with each other in ways we have not seen before. Complex criminal networks operate across the world, coordinating intricate attacks in a matter of minutes. Police must therefore keep pace with new

technologies, to understand the possibilities they create for criminals and how they can be used as tools for fighting cybercrime. The IFCC serves as an example of an innovative approach to an emerging crime problem. It provides the benefits of community policing, forging an effective partnership between law enforcement at all levels, ordinary citizens, consumer protection organizations. The FBI's IFCC serves to facilitate and coordinate this collaborative effort.

#### **Список використаних джерел**

1. Cyberattacks know no borders and evolve at a rapid pace. URL: <https://www.interpol.int/Crimes/Cybercrime>.
2. The Cyber Threat. URL: <https://www.fbi.gov/investigate/cyber>.
3. Rouse M. Cybercrime. URL: <https://searchsecurity.techtarget.com/definition/cybercrime>.
4. Kubic T.T. The FBI's Perspective on the Cybercrime Problem Rouse. Washington, 2001. URL: <https://archives.fbi.gov/archives/news/testimony/the-fbis-perspective-on-the-cybercrime-problem>.

**Югас О.**, здобувач ступеня вищої освіти Національної академії внутрішніх справ

**Консультант з мови: Романов І.**

### **ORGANIZED CRIME IN JAPAN**

Organized crime in Japan is represented by organizations called the "Yakuza". The Yakuza is a traditional form of organized crime in Japan, whose groups occupy a leading position in the country's criminal world. Yakuza members are also known as "gokudos". In literature and the press, the yakuza or its individual groups are often called the "Japanese mafia" or «boryokudan». Yakuza is based on the values of the patriarchal family, the principles of unquestioning submission to the boss and strict adherence to the rules (Mafia Code), for violation of which there is an inevitable punishment. Stability and longevity of the Yakuza clans provide both specific links between the boss and his subordinates, and the preservation of horizontal ("fraternal") relations between ordinary members of the group.

It is believed that the word yakuza comes from an insignificant hand in a Japanese card game similar to baccarat or blackjack: ja-ku-sa cards ("eight nine three"), when they are made, give the worst of possible results.

There are various theories about the emergence of such a phenomenon as the yakuza. The main one indicates that it all began in Japan in 1612, 12 years after the Great War. The army of the mighty Tokugawa Ieyasu, numbering 100,000 samurai, defeated the army of Ishida Mitsunari. Ishida himself was buried by the neck in the ground and executed with a blunt sword. Tokugawa Ieyasu became the de facto ruler of Japan. After this war, a large army was disbanded. Crowds of ryonins (samurai who were left

without owners) began to gather in gangs and rob peasants and townspeople.

One of the most famous was the White Swords gang - they wore white belts and scabbards for swords. If the "white sword" had no money, he did not pay at all. But if they were, it was always paid only with "rough money". Honest traders, having received too much money, tried to give the rest and immediately lost their heads. The White Swords never took the rest, considering it offensive. Neither the shogun's deputies nor the police could do anything with the bandits. And then came the mother-eko.

Initially, the mother-ekko (city guard) was created as protection from samurai gangs. Volunteers, mostly peasants and townspeople, became law enforcement officers. Very quickly mothers-ecos became national heroes. The most popular productions in the theater were those where the main characters were city law enforcement officers who protect the people from samurai atrocities. However, the real mother-eko was far from the characters of the kabuki theater. Yesterday's hooligans, fans of fights and adventurers became members of the city guard. Sometimes it happened that a detachment of the city guard came to the village plundered by the ryonins and instead of looking for bandits, completed the robbery, dooming the unfortunate to starvation.

Tokugawa was also at hand in creating the mother-ekko detachment – he did not have to deal with the destruction of samurai gangs himself. The shogun was far more afraid of his former soldiers than of the incapable city guard. That is why the government looked through its fingers at the robbery of the mother-eko.

In the end, it was Mother Ecko who emerged victorious from the deadly battle with Ronin. To Tokugawa's surprise, after the victory, the "self-defense units" did not think to disband themselves. They soon became a special caste, which marked the beginning of the future Japanese criminal world.

Television willingly prepares reports on solemn events in a particular clan: weddings, funerals. Often such events are attended by parliamentarians, influential representatives of business circles. The headquarters of the clans are well known not only to the police but also to the population. Most often, the emblems of this gangster association are attached to the facades of houses belonging to the yakuza.

There are 2330 gangster groups in Japan. All of them are subject to a complex system of interdependence. Some cooperate, others are deadly enemies, regularly arranging fights for the redistribution of spheres of influence. According to some experts, the annual income of the yakuza is about 1 trillion. However, this figure is clearly underestimated, perhaps several times. Almost half of this amount (according to other data, more than one third) is income from the drug business. Drugs bring the mafia the most significant share of income.

Organized crime in Japan, as in other countries, resembles an octopus, whose tentacles cover almost all the shadowy aspects of public

life. Arms trade, prostitution, pornography, gambling, entertainment, professional sports, racketeering, supply of day laborers, unskilled labor, including from abroad, counterfeiting of securities, credit cards, piracy in the distribution of video and audio products, short-term lending, usury, speculation on construction contracts, real estate trade, the placement of "the right people" at command heights in municipalities, the business world, and finally, political scams, lobbying in parliament - everywhere there is a hard grip on the yakuza. At the same time, one tendency is noticeable: with the preservation and even some expansion of the sphere of illegal business, the semi-legal and often legal business controlled by the mafia is developing at a much faster pace.

The Yakuza collects its tithe from the owners of restaurants, cafes and snack bars. Big "profits" in modern Japan bring "intelligent" methods of robbery. For example, you can skillfully put your car under the bumper of a rich limousine and then, simulating a concussion or a hidden crack in the spine (doctors who are willing to testify to threatening health, but implicit injury, will always be found), for several years to "milk" a driver yawned, demanding money from him for treatment. There are many specialists in this business in Japan. According to experts, amicable settlement of the consequences of car accidents in most cases is not without yakuza.

Every Japanese can buy a stake in any company. If this package is significant, then its owner gets the right to participate in shaping the company's financial policy and receive dividends. And what privileges can one action give? Virtually none, except the right to attend the annual meeting of shareholders, which hears the report of the company's management for the past year. But the yakuza thinks differently.

By purchasing one or two shares of the company, gangsters get the keys to the company's safes. It happens like this. Appearing at a shareholders' meeting, racketeers arrange a brawl there, make noisy and insulting revelations of alleged abuses of the company's management that have taken place, and thus disrupt the approval of the financial statements. Meetings have to be postponed to another day, sometimes repeatedly, which confuses the work, leads to considerable material losses. "Sokaya" – as the racketeers call themselves, specializing in "servicing" the annual shareholders' meeting – are ready to behave decently, but, of course, for significant deviations from the management of the company. Moreover, by paying due diligence to the sokaya, the management of the joint-stock company can receive noisy support from the yakuza during the meeting, who can shut up any criticism if necessary.

#### **Список використаних джерел**

1. How the Yakuza works. URL: <https://people.howstuffworks.com/yakuza.htm>.
2. Yakuza: the warlords of Japanese organized crime. URL: <https://digitalcommons.law.ggu.edu/cgi/viewcontent.cgi?article=1034&context=annlsurvey>.

3. Япония от А до Я. URL: <https://web.archive.org/web/20070111100207/http://www.japantoday.ru/japanaz/ya2.shtml>.  
4. Yakuza (Japanese Organized Crime). URL: <https://www.britannica.com/topic/yakuza>.

**Юхименко К.**, курсант Національної академії внутрішніх справ  
**Консультант з мови: Козубенко І.**

## **SUPPORTING OF LAW ENFORCEMENT AGENCIES**

In every country in the world, law enforcement officials are at the frontline of efforts to combat organized crime. The building of criminal investigative and other law enforcement capacity is a core component of UNODC's work (United Nations Office on Drugs and Crime). Technical assistance includes institutional and operational capacity building of law enforcement and judicial bodies to strengthen investigation and prosecution of organized crimes. Training is offered to police investigators, prosecutors and judges, criminal intelligence analysts, specialized drug and organized crime investigators and customs officials.

UNODC delivers a range of trainings to law enforcement officers on topics of relevance to fighting organized crime in their local contexts. It also employs modern technical training such as computer-based training as well as assistance in improving information exchange between law enforcement agencies, custom and border control authorities in different countries.

UNODC also supports evidence-based law enforcement responses by analyzing report questionnaires submitted by States parties to the Organized Crime Convention. On this basis, research conducted by UNODC is vital in identifying regional and global organized crime trends, forecasting future trends and strengthening the capacity of States to respond reactively and proactively.

Criminal intelligence has been described as the lifeblood of the fight against transnational organized crime. It is the foundation for all proactive investigations and a cross-cutting issue since the same expertise and methodology is used for all serious crimes, including, corruption, drug trafficking, and terrorism. A fundamental component of building law enforcement capacity involves enhancing understanding of how criminal intelligence works and how practically to develop, share and use it.

In order to operate internationally, individual Member States must have the capacity within their own law enforcement structures to collect, collate, analyze and disseminate information on criminals and the organizations within which they operate. UNODC is supporting criminal intelligence capabilities of law enforcement agencies through the provision of policy advice, assessment and gap analysis, and training of criminal analysts (including in using specialist analytical software), front-line law

enforcement and policy makers, including through the use of a set of recently published criminal intelligence training manuals.

In this context, UNODC has published a series of criminal intelligence guides for managers, analysts and frontline law enforcement respectively, to serve as reference tools for law enforcement officials performing their respective roles, or to accompany and reinforce training courses in the discipline. Capacity building initiatives are supported by training that emphasizes the importance of international cooperation in the investigation of transnational organized crime.

In addition, UNODC supports the criminal intelligence capabilities for a growing number of regional coordination centers such as the Central Asian Regional Information and Coordination Centre for combating illicit drug trafficking (CARICC) based in Tajikistan; the Joint Planning Cell (JPC) which is part of the Triangular Initiative; the Transnational Crime Units under the West African Coast Initiative (WACI) and the and the Gulf Council Intelligence Centre (GCIC), based in Doha.

The international community is increasingly concerned about the use of kidnapping by organized criminal groups. In the most severely affected countries, several hundred kidnappings occur annually.

Criminal groups are involved in kidnapping for the purpose of extortion, as a method of accumulating capital for other criminal activities, such as trafficking in firearms, money laundering, drug trafficking, trafficking in people and crimes related to terrorism. In its resolution 2002/16 of 24 July 2002, the Economic and Social Council vigorously condemned and rejected kidnapping in any circumstance for any purpose, and resolved to treat it as a serious crime, particularly when it was connected with actions of organized criminal or terrorist groups.

While definitional and recording problems make the crime difficult to assess the incidence of kidnapping at the international level, it is clear that States generally consider this crime to be a serious one. When committed by an organized crime group, the crime can be addressed in the framework of the provisions on mutual legal assistance and extradition of the Organized Crime Convention.

Three interconnected recommendations that appeared appropriate in response to information-gathering efforts by UNODC, concern increased efforts to: harmonize definitions and constituent elements of the crime; monitor the crime according to this common definition, and cooperate to exchange best practices to strengthen responses.

UNODC released a Counter-kidnapping Manual in 2006 aimed at providing authorities with guidance on preventing and investigating kidnapping cases.

Border control officials are often at the frontline of defense against organized crime and may be called upon to identify and apprehend criminals and protect and assist victims. It is therefore essential that border control officers be supported in their role as first responders.



UNODC's Border Liaison Officer (BLO) programme supports countries to better manage their borders and to better communicate with their counterparts on the other side of the same border. Specific activities and interventions within the BLO programme differ depending on the particular context and the funding available. Often border officials are sparsely equipped, with limited resources with which to patrol borders and react when borders are breached. The BLO programme provides beneficiaries with technical resources (such as computers) and transport resources (such as motorbikes) with which to strengthen their responsive capacity. Additionally, the programme acts to build trust and dialogue between border staff on both sides of the border and strengthen communication between them so as to empower both sides to act and respond quickly to border threats.

The results of UNODC's BLO programme have included demonstrated improvement of border management through strengthened communication and collaboration between border agencies. Increased confidence and trust between personnel has led to regular meetings between actors on both sides of the border, efficient information exchange and the development of joint operations, patrols and surveillance. This increased communication and collaboration in turn means that effective border management becomes self-sustaining.

International trade is one of the significant contributing factors as well as by-products of globalization. Trade can significantly contribute to sustainable development though increased economic opportunities in movement of goods around the world. However, many developing countries do not have the capacity to effectively harness the goods of international trade, while also ensuring trade security and standards at their ports, handling terminals and borders.

Although freight containers are an important part of the trade supply chain, they are used by organized criminals to traffic illicit drugs, precursor chemicals, weapons, explosives and other contraband. Where the trafficking of illicit goods through containers is not intercepted by law enforcement authorities, it fuels the commission of other serious crimes. For instance, trafficking of weapons and explosives raises concern about trafficking in containers being used directly or indirectly for terrorist attacks.

The UNODC Container Control Programme, in partnership with the World Customs Organization, aims to assist governments to establish effective container controls that serve to prevent illegal activity while also facilitating legal trade.

Through this programme, Joint Port Control Units, comprised of customs and police officers, are established at selected ports. Border guards, sea port authorities and other relevant agencies can also be beneficiaries of the programme. Staff are trained and equipped to identify and inspect high-risk freight containers with minimum disruption to legitimate trade and business. The Control Units have regular access to experts and specialist mentor services and are encouraged to forge partnerships and links with the

trade and business community. A comprehensive basis for Joint Port Control Units is established for the exchange of information and intelligence and use of risk assessment and targeting techniques to identify high-risk consignments for law enforcement scrutiny, without hindering free flow of legitimate trade.

The programme further aims to promote the formation of alliances between customs, trade and enforcement communities as a means of collectively preventing the abuse of legitimate commercial trade for the purposes of organized crime.

#### **Список використаних джерел**

1. Law enforcement. URL: <https://www.unodc.org/unodc/en/organized-crime/law-enforcement.html>.
2. Law Enforcement Agency. URL: <https://www.sciencedirect.com/topics/computer-science/law-enforcement-agency>.

**Явтушенко О.**, курсант Національної академії внутрішніх справ  
**Консультант з мови: Василенко О.**

### **COMBATING ECONOMIC CRIMES**

First of all, one of the most common categories of crime are economic crimes.

Economic offences also known as financial crimes, refers to illegal acts committed by an individual or a group of individuals to obtain a financial or professional advantage.

However, Economic crime is usually confused with another term, corruption. There are different definitions of what is corruption. Each definition illuminates different dimensions of the phenomenon to be studied, influencing the analysis and prosecution tasks to be implemented.

A first identify focuses on public ethics. Here, corruption is defined as an ethical confusion between public and private space. A second vision relates the problem of corruption to the lack of transparency of the state, may that be it in the form of barriers to access public information or the pinpoint hiring opportunities to certain companies in the area of goods and services.

Although, there is a third definition, which is the one that we as an organization promote: corruption is one of the many parts of a more complex and more comprehensive criminal phenomenon, which is economic crime. Therefore, our vision is not limited to crimes committed in the public sector, but also extends to those perpetrated by economic actors in the private sector.

Thus, economic crime covers a wide range of offenses, such as :

- MTIC (Missing Trader Intra Community Fraud) fraud, which involves the criminal exploitation of value-added-tax (VAT) rules in the

EU, resulting in lost revenue running into the billions of euro for Member States;

- excise fraud, which refers to the smuggling of highly taxed commodities such as tobacco, alcohol and fuel;

- money laundering, the process of making the proceeds of criminal activity appear legal.

As you know, people start to engage in crime because they have:

- 1) Low risk, high profits.

The low risk and high profits associated with economic crime make it a very attractive activity for organised crime groups. The likelihood that fraud will be detected and prosecuted is low because of the complexity of the investigations required. This is particularly so for cases of fraud that can be uncovered only through international cooperation, and for internet offences for which jurisdiction needs to be established.

Organised criminal groups operating at an international level benefit from differences in national legislation. Individual and organisational vulnerabilities such as a lack of awareness on the part of victims and low risk perception by target groups are enabling factors for most types of fraud.

- 2) Not victimless.

There is increased awareness that certain acts within the financial sector that were once considered to be merely poor business practice may in fact have been criminal. Widespread reckless investment, misrepresentation of financial statements and conspiring to manipulate inter-bank interest rates fall within the definition of serious and organised crime.

The huge losses associated with high-level financial fraud undermine social-security systems and destabilise economic systems, thus clearly indicating a failure of self-regulation.

- 3) Current threats.

The 2019 Serious and Organised Crime Threat Assessment (SOCTA) highlights a number of fraud areas that are of particular concern to Europol and law enforcement in Member States. These crime areas, which are described in more detail below, are:

- investment fraud
- mass-marketing fraud
- payment-order fraud
- insurance fraud
- benefit fraud
- EU subsidy fraud
- procurement rigging
- loan and mortgage fraud.

In Britain, there has been created The National Economic Crime Centre (NECC) to deliver a step change in the UK's response to, and impact on, economic crime. For the first time, the NECC brings together law enforcement and justice agencies, government departments, regulatory bodies and the private sector with a shared objective of driving down

serious organised economic crime, protecting the public and safeguarding the prosperity and reputation of the UK as a financial centre.

The NECC will coordinate and task the UK's response to economic crime, harnessing intelligence and capabilities from across the public and private sectors to tackle economic crime in the most effective way.

It will jointly identify and priorities the most appropriate type of investigations, whether criminal, civil or regulatory to ensure maximum impact. It will seek to maximize new powers, for example Unexplained Wealth Orders and Account Freezing Orders, across all agencies to tackle the illicit finance that funds and enables all forms of serious and organised crime.

The NECC will ensure that criminals defrauding British citizens, attacking UK industry and abusing UK financial services are effectively pursued; that the UK's industries and government agencies know how to prevent economic crime; and that the UK's citizens are better protected.

In addition, The Economic Crime team within UK Finance is responsible for leading the industry's collective fight against economic crime in the UK, including fraud, anti-money laundering (AML), sanctions, anti-bribery, corruption and cybercrime.

UK Finance seeks to ensure that the UK is the safest and most transparent financial centre in the world - thus creating a hostile environment for criminals by working with members, law enforcement, government agencies and industry.

We have introduced new procedures between police and bank branches to prevent vulnerable people falling victim to fraud (Banking Protocol), devised and delivered Take Five – a national awareness campaign about the risks of fraud, and developed voluntary standards for payment service providers to follow when processing a claim following an APP scam.

And so, *on top of* everything else, we established the Dedicated Card and Payment Crime Unit (DCPCU), a dedicated police unit paid for by UK Finance. The DCPCU was created in response to a rapid growth in organised crime and the lack of a dedicated police investigatory capacity. Our Economic Crime Information and Intelligence Unit also provides up-to-the-minute information about fraudulent attacks on financial institutions.

Summarizing the above, nowadays the economic crime is one of the most prevalent categories of the offence. There are different systems, which *cooperate* with the police forces of other countries, directly or through Interpol.

#### **Список використаних джерел**

1. Economic crime. URL: <https://www.europol.europa.eu/crime-areas-and-trends/crime-areas/economic-crime>.
2. National crime agency. URL: <https://www.nationalcrimeagency.gov.uk/what-we-do/national-economic-crime>.

## **HUMAN TRAFFICKING IN UKRAINE**

Ukraine is a country of origin, transit and destination for trafficking in men, women and children. Internal trafficking is also a growing problem. According to research commissioned by IOM, over 260,000 Ukrainians became victims to human trafficking since 1991, which makes Ukraine one of the main countries of origin of victims of trafficking in human beings in Europe. The IOM Ukraine Counter Trafficking (CT) Programme was launched in 1998, with a strategy to support government and civil society efforts to combat trafficking in human beings and to ensure victims' access to assistance and justice. IOM follows a holistic and multi-disciplinary approach to tackle the problem of human trafficking, working in four interrelated areas:

IOM places special emphasis on preventing human trafficking in cooperation with government agencies from the social and education systems, law enforcement, other international organizations as well as a network of civil society organizations throughout Ukraine. IOM raises awareness and informs about the risks of falling victim of trafficking through special information campaigns targeting the general population, specific risk groups, youth, unidentified victims as well as state and non-government professionals who might be in contact with potential victims, development of educational materials for secondary schools and universities, and various other innovative methods [2].

In order to enhance the access of victims of trafficking to justice, IOM provides comprehensive capacity building services to the criminal justice chain in Ukraine, including the police, investigators, prosecutors, and the judiciary system as such. This includes thematic trainings, technical assistance, networking with countries of transit and destination, capacity building in the sphere of mutual legal assistance, resource management, provision of equipment, strengthening victim/witness protection mechanisms and other. IOM also partners with the State Migration Service and State Border Guard Service of Ukraine to enhance the identification of potential trafficking victims, both Ukrainian and foreign, at the country's borders and to improve the cooperation with specialized police units.

IOM Ukraine started assisting Ukrainians who had become victims of trafficking (VoTs) in 2000. Together with a network of partner NGOs throughout Ukraine, from January 2000 to December 2019 IOM provided comprehensive reintegration assistance to over 16,600 VoTs, which, depending on the individual needs of each beneficiary, includes legal consultation and representation in criminal and civil court; medical care, psychological counselling, shelter, vocational training, small-grant programme supporting those trafficking survivors who aspire to set-up their own business and other forms of assistance. More than 1000 VoTs have

benefited from IOM's Micro-Enterprise Development Programme, setting up over 500 micro-enterprises and creating new jobs. Since 2002, IOM operates a Medical Rehabilitation Centre, the only one of its kind in Ukraine, where comprehensive medical care and psychological assistance are provided to beneficiaries free of charge in a safe and confidential manner. From 2002 to December 2019, over 3,800 victims benefited from the Centre's services. IOM also supports further geographical expansion and strengthening of the National Referral Mechanism for Assisting Victims of Trafficking, established in Ukraine in 2012 [1].

Partnership is the basis of all of IOM's counter-trafficking efforts. Working with a growing circle of partners, including various government agencies, international organizations, civil society, private companies and individuals and facilitating cooperation among them is the key to effective action against human trafficking in Ukraine and to greater national input and ownership. The IOM Mission in Ukraine coordinates prevention and awareness raising activities with the Counter-Trafficking Coalition of 31 NGOs. From the latter I can give the following examples of prevention:

Employees of the Department of fight crimes tied with human trafficking along with the Principal investigating department of the National Police of Ukraine under the direction of the Prosecutor General's Office blocked the transnational channel of trafficking of Ukrainians with the purpose of their further exploitation. On the pretext of the participation in the transportation of refugees, the perpetrators illegally transferred migrants from Turkey to Greece and Italy and from Greece to Italy by sea. The police officers detained the active participants of the criminal gang. The involvement of 12 citizens of Zaporizhia in the recruitment was documented. Eight of them served sentenced abroad. The perpetrators involved the recruited citizens in the criminal activity out of our state [3] .

German police detain a gang of human traffickers, among them Ukrainians. It is established that during the transfer of illegal migrants, the perpetrators used sailboats and pleasure boats. The recruited Ukrainians were used as the crew. In the result of the operative actions, the police established that a 35-year-old citizen of Zaporizhia was the active partaker of the criminal group with the signs of the organization, which provided the functioning of this channel. According to the police, the suspect had sustainable linkages with foreign people who transferred illegal migrants. He recruited Ukrainian citizens for them. Moreover, he was responsible for the recruitment and transfer of recruited members of the crew to Turkey. In particular cases, he accompanied recruited people to Turkey, instructed and controlled them abroad.

The conflict in eastern Ukraine has displaced nearly two million people, and this population is especially vulnerable to exploitation throughout the country. In areas controlled by Russia-led forces, employment options are limited and Russia's proxy "authorities" place restrictions on international humanitarian aid that is intended to help meet civilian needs. Women and girls from conflict-affected areas have been

kidnapped for the purposes of sex and labor trafficking in Ukraine and Russia. Internally displaced persons were subjected to trafficking, and some Ukrainians were subjected to forced labor on territory not under government control, often via kidnapping, torture, and extortion. International organizations reported the demographics of Ukrainian trafficking victims has shifted since the beginning of the conflict to include more urban, younger, and male victims subjected increasingly to forced labor and criminality, such as drug trafficking and couriers.

Uncorroborated reports of Russia-led forces using children as soldiers, informants, and human shields continued, but the number of such reports has decreased since the early years of the conflict. In 2017, a civil society organization recorded 85 cases of involvement of children in illegal armed groups in areas outside of Ukraine's control; it reported it was able to identify names, ages, forms of recruitment, children's duties, and their recruiters. According to the organization, children took direct and indirect part in the armed conflict; they performed armed duty at checkpoints as fighters and served as guards, mailpersons, and secretaries. Children ages 15 to 17 are actively recruited to participate in militarized youth groups that taught children to carry and use weapons. The recruitment of children by militant groups took place on territory not under the control of the government and in areas where the government was unable to enforce national prohibitions against the use of children in armed conflict.

#### **Список використаних джерел**

1. URL: <https://www.osce.org/project-coordinator-in-ukraine/combating-human-trafficking> (дата звернення 30.09.2020).
2. URL: <https://112.international> (дата звернення 30.09.2020).
3. URL: <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/ukraine/> (дата звернення 30.09.2020).

**Ярмішко М.**, курсант Національної  
академії внутрішніх справ  
**Консультант з мови: Марченко І.**

### **TYPES OF PUBLIC CORRUPTION**

Public corruption poses a fundamental threat to the national security and way of life. It can affect everything from how well the borders are secured and the neighborhoods protected to how verdicts are handed down in courts to how public infrastructure such as roads and schools are built. It also takes a significant toll on the public's pocketbooks by siphoning off tax dollars—it is estimated that public corruption costs the government and the public billions of dollars each year.

**Prison Corruption** The prison corruption initiative, which began in June 2014, addresses contraband smuggling by local, state, and federal prison officials in exchange for bribe payments. Through this initiative, the Bureau works to develop and strengthen collaborative relationships with

state/local corrections departments and the U.S. Department of Justice Office of Inspector General to help identify prison facilities plagued with systemic corruption and employ appropriate criminal investigative techniques to combat the threat. Prison officials and staff being co-opted, even if unwittingly, betrays the public trust, threatens the integrity of the justice system in the U.S., and threaten national security interests overall.

Schemes to corrupt prison officials come in a variety of forms, including:

**Testing:** An offer of simple items, like prison commissary goods, is made to prison officials. If accepted, the inmate confirms the official's administrative misstep, then urges the official to smuggle contraband under threat of reporting the official's misconduct.

**Active recruiting:** Civilian gang members with no prior criminal history are recruited by incarcerated gang members to apply to become correctional officers, with promises of additional income paid by the inmates' criminal enterprise.

**Empathy:** Prison inmates study corrections personnel working in the facility and determine whether particular staff members are susceptible to exploitation. This ploy typically results in improper interpersonal relationships and the corrupted official's integrity being compromised to the benefit of the inmate [2].

**Border Corruption** The federal government is responsible for protecting approximately 7,000 miles along the U.S. border and 95,000 miles of U.S. shoreline, and every day, over a million people visit the U.S. and enter through one of the more than 300 official ports of entry into the U.S., as well as through seaports and international airports. The FBI recognizes the very real threat public corruption at our nation's borders and all other ports of entry pose.

Common acts of border corruption involve drug trafficking and alien smuggling. Throughout the U.S., the FBI has investigated corrupt government and law enforcement officials who accept bribes and gratuities in return for allowing loads of drugs or aliens to pass through ports of entry or checkpoints; protecting and escorting loads of contraband; overlooking contraband; providing needed documents, such as immigration papers and driver's licenses; leaking sensitive law enforcement information; and conducting unauthorized records checks.

Border corruption potentially impacts national security as well—corrupt officers might believe they are accepting a bribe simply in return for allowing a carload of illegal aliens to enter the U.S., when they might actually be facilitating the entry of a group of terrorists. Or a corrupt official who expedites immigration paperwork or helps obtain an identification document in return for a bribe or gratuity might actually be facilitating an operation of a terrorist cell, foreign counterintelligence network, or criminal enterprise [1].

Oftentimes the Bureau brings its expertise to bear on joint investigations with its partners in federal, state, and local law enforcement.



Many of these investigations involve FBI border corruption task forces and working groups located in nearly two dozen cities along our borders. Members of these task forces and working groups stand shoulder to shoulder to combat corrupt officials, both operationally and through the sharing of intelligence and information, along with the use of trend analysis, lessons learned, and best practices.

**Kleptocracy** Kleptocracy, literally meaning "the rule by thieves," is a form of political corruption in which the ruling government seeks personal gain and status at the expense of the governed. Through graft and embezzlement of state funds, corrupt leaders amass tremendous wealth at the expense of the broader populace. Some of the most egregious examples have occurred in countries with very high rates of poverty. The inherent challenge for corrupt leaders is covertly expatriating and holding money in secure locations where it can be accessed in the future. Generally, that requires international movement of funds. When transfers occur in U.S. dollars or transit the U.S. banking system, federal money laundering jurisdiction is established. The FBI initiates money laundering investigations to trace the international movement of assets and, in conjunction with foreign partners, forfeit and repatriate assets back to legitimate authorities in victim countries.

**Antitrust** ICU has program management responsibility for the FBI's antitrust investigations, both domestic and international, which target conspiracies among competitors to fix prices, rig bids, or allocate markets or customers. These conspiracies deprive U.S. consumers of true competition, economic bedrock of our free and democratic society. Perpetrators often operate in multinational companies that bask in illegal profits at the expense of U.S. consumers. Stolen by cartels, the ill-gotten gains and competitive advantages reduce supply, eliminate incentives to compete by offering better and more innovative products and services, and destabilize economic markets.

**International Contract Corruption** ICU has program management responsibility over cases involving international fraud against the government and international corruption of federal public officials. The FBI was a co-founder of the International Contract Corruption Task Force, which was created in 2006 with the goal of addressing contract fraud concerns. These concerns stemmed from overseas U.S. government spending during the wars in Afghanistan and Iraq. These cases typically involve bribery, gratuities, contract extortion, bid rigging, collusion, conflicts of interest, product substitution, items/services invoiced without delivery, diversion of goods, and corporate and individual conspiracies at various levels of U.S. government operations [3].

ICU's program extends beyond the war effort to include worldwide contingency operations involving U.S. military actions, foreign aid and development, and humanitarian aid in any international region. Spending on these programs is highly susceptible to corruption and fraud by those wishing to take advantage of the chaotic circumstances surrounding these

benevolent endeavors. Misuse of U.S. funds overseas poses a threat to the United States and other countries by promoting corruption within the host nation, damaging diplomatic relations, inadvertently supporting insurgent activity, and potentially strengthening criminal and terrorist organizations.

#### **Список використаних джерел**

1. URL: <https://www.fbi.gov/investigate/public-corruption> (дата звернення 14.09.2020р.).
2. URL: <https://www.fbi.gov/investigate/public-corruption/news> (дата звернення 14.09.2020р.).
3. URL: <https://www.fbi.gov/investigate/public-corruption/news> (дата звернення 14.09.2020р.).

***Яценко Т.***, здобувач ступеня вищої освіти магістра Національної академії внутрішніх справ

***Консультант з мови: Скриник Л.***

### **COMBATING JUVENILE DELINQUENCY IN UKRAINE**

One of the most pressing problems of modern Ukrainian society is the ever-increasing juvenile delinquency. It is a component of general crime and is a testament to its future trends. That is why the issue of combating juvenile delinquency in Ukraine is becoming increasingly relevant.

The effectiveness of such counteraction is directly dependent on the correctness of the chosen methods of such counteraction and their successful combination. In this context, first of all, it should be noted that in a general sense, a method is called a method or method of doing something. Based on this, the methods of any activity, including counteraction, should be understood specific ways, techniques, tools that are used to achieve the goal and constitute the content of this activity. It follows that the methods of combating juvenile delinquency in Ukraine should be understood in specific ways, techniques, means used to counteract it.

Scientific literature distinguishes general social and special methods of combating juvenile delinquency: cultural and educational work in all spheres of activity; raising the moral and cultural level of the family, as well as inter-family communication; improving the material well-being of the population; fight against alcoholism and drug addiction; the fight against recidivism, which is the social adaptation of punished juveniles; reduction of the propaganda of violence in the media, in particular the prohibition of films showing violence and violence during the daytime.

Special methods should include an individual group and mass prevention. The purpose of prevention as a method of combating juvenile delinquency – identification of persons who can be expected to commit offenses and influence them and their social environment (microenvironment) in order to positively correct their behavior, eliminate, weaken or neutralize criminogenic factors acting in this field.

It is now necessary to diversify forms and methods of prevention, to increase the use of verbal methods: in addition to lectures and conversations that involve passive perception of information, use debates, discussions, quizzes that more actively engage students, as well as interactive methods of presenting information (trainings, story-plays, role-plays) exercises).

In addition, it is advisable to consider the possibility of involving law enforcement officers in joint leisure activities of children (sports competitions, competitions) and to conduct story-role games in order to familiarize themselves with the work of law enforcement agencies.

At the same time, studying in order to find out the possibility of its further implementation in Ukraine requires foreign experience in this field. A number of early intervention programs are widely used in Ireland and implemented within the work of NIACRO, a voluntary organization where more than 180 volunteers work with juvenile offenders and at risk, are of interest to Ukrainian law enforcement.

The Child and Parent Support Program (hereinafter-CAPS) - aims to provide intensive support services for families with children who are predisposed to asocial, antisocial or criminal behavior between the ages of 8 and 13 years. The Independent Visit Program is about providing friendly, independent support to minors among those in care. The Youth Employment Assistance program targets young people aged 15 to 18 who are registered in the juvenile correctional system.

In addition, the NIACRO Association works with prisoners, their families and children through the Advice Center, the only service providing counseling and support to the families of prisoners and juveniles who are serving sentences.

The Project Towards No Drug Abuse is based on a model of motivation-skills-decision-making. It was developed for the prevention of drug abuse by underage seniors (14-19 years) of correctional and alternative schools.

Summarizing the foregoing, it should be noted that the issue of combating juvenile delinquency in Ukraine is now extremely acute. In order to achieve the best possible results in the field of combating juvenile delinquency in our country, it is necessary to develop and implement a clear program of combating criminality, which would contain a specific list of general social and special methods of combating juvenile delinquency, taking into account the successful foreign experience in this country.

#### **Список використаних джерел**

1. Promising and model crime prevention programs [Electronic resource]: National Crime Prevention Centre (NCPCC) Public Safety Canada Ottawa, Ontario, Canada K1A 0P8, October 2008. URL: <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/prmsng-mdl-vlml/prmsng-mdl-vlml-eng.pdf>.

2. Crime prevention: Migration and Home Affairs. URL: [https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/crime-prevention\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/crime-prevention_en). – Title from the screen.

*Наукове видання*

# ЗАРУБІЖНИЙ ДОСВІД ПРОТИДІЇ ЗЛОЧИННОСТІ

Матеріали  
VI Міжвузівської курсантської наукової конференції  
(Київ, 3 грудня 2020 року)

Відповідальні упорядники: *О. Пустовий, В. Корольчук*

---

Свідоцтво про внесення суб'єкта видавничої справи до державного  
реєстру видавців, виготовників і розповсюджувачів видавничої продукції  
Дк № 4155 від 13.09.2011.

Підписано до друку 19.10.2020. Формат 60x84/16. Папір офсетний.  
Обл.-вид. арк. 17,5. Ум. друк. арк. 16,27.  
Тираж 100 прим.

---