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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 of 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.

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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