

The conclusion is that criminal organizations are increasingly working together, realizing that it is better to work in cooperation rather than in competition with each other. Organized crime is so durable is that the participants are extremely dedicated.

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HUMAN TRAFFICKING AS THE MODERN FORM OF SLAVERY

Human trafficking is a serious social problem because it poses an enormous threat to fundamental human rights – right to life, to free choice, to free movement... Human trafficking as a phenomenon completely disregards any human rights. As a result of growing globalization at different levels, human trafficking has become a global problem. This problem equally hits:

a) Countries in political and economic transition and countries torn by war (we call them also the countries of origin when human trafficking is concerned), and

b) Economically developed countries (which at the same time appear as transit countries and the countries of destination/destination countries).

Although the majority of countries today claim that human rights and freedoms are fully observed there, the phenomenon of slavery has not disappeared yet – it still exists in the 21st Century. Millions of women and children, but also men, are forced into prostitution, domestic service, work on plantations, and begging and other forms of coercion. People are trafficked within the borders of one country (internal human trafficking), but also inter-continentially (transnational human trafficking), and therefore all countries are facing this serious problem.

International organizations possess different data on the number of persons who fall victim to trafficking every year and on the profits generated from this criminal activity:

According to the United Nations, 700,000 women, children and men end up in human trafficking every year.

US State Department estimates that 900,000 women, children and men fall victim to trafficking every year (of this figure, 20,000 in the territory of the USA).

According to some other surveys, 27 million people today are in servitude, of whom 8 million are children (as many as 20,000 children from Cote D'Ivoire).

Human trafficking is one of the three most profitable criminal activities (besides trafficking in drugs and arms).

Profits gained through human trafficking are estimated at 7-60 billion US dollars, and according to some estimates, up to 507 billion US dollars a year.

The socio-economic factors affect trafficking. However, it is driven by organized criminal groups which communicate very easily through "the language of profits", while human beings are treated simply like "talking objects".

Human trafficking carries a variety of exploitative goals, making it an international, organized criminal phenomenon, which has severe consequences on the security, welfare and human rights of its victims. Human trafficking, especially for the purpose of sexual exploitation, is a "high profit-low risk" criminal activity that takes away the quality of life, and in some cases the very life of its victims. This is a modern-day slavery, whose victims are often women and girls. In many cases, physical and mental injuries inflicted on the victims of human trafficking are so severe and permanent that their full physical and mental recovery becomes impossible.

According to UN Convention against Transitional Organized Crime, under Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Human Beings, especially Women and Children, human trafficking is defined as follows:

"Trafficking in persons shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs".

It is important to know that, according to Article 3b of this document, the consent of a victim of trafficking in persons to the intended exploitation shall be irrelevant; that is, it does not diminish accountability of those persons who committed human trafficking.

Also importantly, any reference to “a child” in this document shall mean any person less than eighteen years of age.

The human trafficking chain comprises of three phases:

1. Recruitment phase;
2. Transit phase;
3. Exploitation phase.

The phase following the recruitment is transportation and transfer, which may include the provision of accommodation and admission of victim with a series of temporary harbors, including initial entry and transfer within the borders of the victim’s own country, but also serious violations of human rights and physical abuse during the transportation, in which case the state border may, but need not be passed. Many victims have never left their country before and they are totally dependent on human traffickers. Some of them are leaving their homes without passports because they are told that there is no real need to have one or that they will have it later. If they have a passport, traffickers often take it away and keep it for themselves as a security measure against the victim. When victims are trapped in some illegal situation, they are especially subject to the whims of their traffickers. Traffickers know that, because of their illegal status, they are hardly likely to go to the police or any other authority for help.

The transportation of victims across the border is of critical importance in human trafficking. In most cases, recruited persons agree to depend fully on traffickers to get documents and transportation. This gives the traffickers firm control during the transit phase.

Victims are often deceived by being led to believe that they are going abroad to work as waitresses, nannies, models, factory workers, dancers, but when they get there, they are forced into prostitution, forced labor, begging. Forms of trafficking are: sexual exploitation, labor exploitation, debt bondage, forced marriage, phony adoption, forced begging, forced participation in criminal activities, trafficking in body organs.

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THE “NON-TRADITIONAL” METHODS IN CRIMINAL LAW

The concept of “non-traditional” methods is appeared in Criminal Law in the end of 80-th year. Any methods including non-traditional are based on specialized knowledge’s in a particular industry. Depending on the way of getting information’s they can be:

First, methods which are unrelated with the interrogating perpetrator (they are extrasensory, description the portrait of suspect and others)

Second, methods related with interrogating perpetrator (they are: hypnosis, polygraph, drug analysis and many others)

Consequently, these methods criminal police use for their own goals to solve different crimes.

On the one hand you cannot use scientifically based methods for forensic investigation, but in some cases where traditional methods don’t work, you must find new and innovative methods that can help pre-trial investigation. They can include the polygraph (another its name is "detector lie").

And now I want to tell you some information about polygraph. Polygraph defines a lie thanks for various psychophysiological indicators of human condition. This may be palpitation, temperate body, rhythm breathing, and state of the circulatory system. John Lars created the first polygraph, which was suitable for use in pre-trial investigation. After Larson's success, the detector of lie proved itself as a device with exact results. Examples are present that if we are really concerned, worried, excited, we are scared; we are experiencing the emotional excitement that fixes polygraph.

In Ukraine, during the reform period of police, there was a question about the use of a lie detector and the results obtained using it in the activities of the internal affairs. The problem of the use of the polygraph was the lack of its legislative consolidation in Ukraine, which served as a basis for law enforcement officers and the court for non-recognition of evidence gathered through a polygraph. Today, uses the detector of lie in the police of Ukraine is carried out in accordance Article number 9 of the Law of Ukraine "On Operational and Investigative Activity “. We can uses devices, which doesn’t harm the life and health of a person.