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LINGUISTICS AND LAW IN THE SECURITY SPHERE: FOREIGN EXPERIENCE

Recognizing the current existence of legal linguistics as an independent interdisciplinary area of science, we highlight the problems existing in this field of knowledge, particularly related to inconsistent and fragmentary nature of studies, from both linguistic and legal points of view, lack of integrated approach as well as absence of unified and sufficient definitions of the investigated phenomena. Presently one could consider legal linguistics as an independent interdisciplinary area of science. However, despite a rather significant volume of scientific works, sharing this subject, the terminology of this area of scientific research is quite unstable demonstrating inconsistency and lack of uniformity. It should be noted, that currently the scientific area in question does not have a unified definition of the phenomenon we are interested in, just as there is no expressly accepted term for its designation: «language of law», «legal language», «lawyers' language» – are among the terms that we encounter in academic literature. However, it is customary in legal science to distinguish between the terms «legal language» and «language of law» [1].

In the first of a series of five articles exploring the phenomenon of multilingual EU law, Dr Karen McAuliffe, PI on the European Research Council funded project 'Law and Language at the European Court of Justice', explains the importance of taking language into account when thinking about law

Law permeates almost every part of our lives. 'The law' governs what we can and can't do in a society, regulating our rights and duties at local, regional, national and international levels. Often, non-lawyers (and indeed some lawyers) view the law as a definitive set of rules, perhaps somewhat complicated to navigate without specialist advice, but clear and precise, nonetheless.

However, examining the process and production of law through the lens of language allows us to understand 'the law' in a very different way. Language and law are inextricably linked – the law is an inherently linguistic construct: it is largely created, interpreted and applied through language. Language is, therefore, an extremely important part of, and has a significant impact on the development of any legal order.

While this link between law and language exists across all legal orders, at every level, it is more visible and arguably more important where the law in question is multilingual. In today's globalised world, multilingual law permeates many aspects of our daily lives and is more important than ever before. The intense process of globalisation in the latter half of the 20th century has led to a rapid increase in the production of international treaties and agreements, the creation of international courts as well as a reliance on international arbitration.

Much of this globalised legal work is performed through translation and much of the underpinning law on which such work is based exists in a multi- or pluri-lingual sphere. Nowhere is this phenomenon of multilingual law more evident than in the context of the European Union, which produces law in 24 languages, with the aim of it being applied uniformly throughout (at the time of going to press) 28 member states.

The EU's multilingual law consists of treaties, as well as secondary legislation (regulations, directives, decisions etc.), all of which are considered equally authentic in each of the 24 EU official languages in which they are produced. The multilingual nature of that legislation is generally evident to those coming into contact with such documents on a regular basis.

However, there is another source of EU law, the multilingual nature of which is not always so obvious: decisions of the Court of Justice of the European Union (CJEU). When a member state or other legal party to an action before the CJEU engages with that court, it does so in its choice of one of the 24 EU official languages. Since all correspondence in relation to the relevant action, including notification of the 'authentic version' of the judgment, is carried out in that one language, the multilingual nature of the process behind the scenes is not always apparent. However, given the importance of CJEU case law as a source of EU law, its multilingual nature should not be ignored.

Based on the theoretical assumption that a linguistically 'hybrid' community, such as that of the CJEU, functions primarily through language interplays, negotiations and exchanges; and that the 'process' within any institution will necessarily affect its 'output', the LLECJ project investigates the cultural and linguistic compromises at play in the creation of the CJEU's multilingual case law. The project aims to shed greater light on the development of EU case law and consequently on EU law more generally, by taking account of the multilingual nature of that law.

By clarifying the ways in which language plays a key role in determining judicial outcomes, we can challenge EU scholarship to look beyond more conventional approaches to the development of a rule of law which draw on law alone, and develop a fuller and more nuanced understanding of the phenomenon of multilingual EU law [2].

Studying the use of the language of law in foreign countries is important for gaining experience that can be used for the development of one's own legal state in Ukraine.

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COUNTERING ILLEGAL AND PSYCHOTROPIC DRUGS FOREIGN EXPERIENCE

Traditional international law recognized the special danger for the world community and society of certain criminal offenses and the need to apply joint measures for their prevention and neutralization. Illegal distribution of narcotic drugs, psychotropic substances and precursors, along with certain other offenses, was qualified as a crime of an international nature, and states undertook to either punish or extradite persons who committed these crimes, regardless of whether they were on the territory which country the crime was committed, against whom it was directed and which country the criminal was a citizen of narcotics from ancient times were known in almost all world civilizations: in Ancient Egypt, Babylon, Ancient Greece, Ancient Rome, Aztecs, Incas, Ancient India, China, and even among the peoples of the Far North.

In the middle of the 19th century, the spread of narcotics and the spread of drug addiction began to develop into a serious social problem, which led to the adoption of restrictive measures in a number of countries. In particular, a series of laws directed against opium smoking, breeding and smuggling of opium were adopted in China and India [1]. In 1845, France adopted a law on poisonous substances, in particular narcotics [2].

Drug addiction, after all, is an ancient problem of mankind and one of the most serious social diseases of society, a rather complex problem of our time.

It should be noted that in the foreign scientific literature devoted to this problem, many different theories are presented that «reveal» the causes of drug addiction due to excessive urbanization and migration of the population, the «harmful» influence of scientific and technological progress, as well as due to the «existential» emptiness of individuals. One group of these theories tries to mask the social roots of drug addiction, the other, paying attention to the social nature of the emergence of drug addiction, does not reveal its real causes due to the class limitations of its worldview. Drug addiction, of course, is considered a negative social phenomenon that includes harmful consequences for people's health and behavior.