

enforcement agency to operate within the framework of our defining principles – equal treatment, respect for individual liberty, and accountability. When the law enforcement agencies reflect these principles, they play an important role in society control and the overall well-being of society, which results in a more willing and cooperative public.

Список використаних джерел

1. Law enforcement agency. URL:https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=34-USC-1523874013-2015305505&term_occur=999&term_src=title:34:subtitle:I:chapter:101:subchapter:XXIV:section:10534.

2. International Association of Chiefs of Police Serving the Leaders of Today, Developing the Leaders of Tomorrow, 2018. Discoverpolicing: Explore the Field. Types of Law Enforcement Agencies. URL: <https://www.discoverpolicing.org/explore-the-field/types-of-law-enforcement-agencies/>.

3. Ron Petrarca. Federal Law Enforcement Agencies. Criminal Justice 101: Intro to Criminal Justice. Law Enforcement in the U.S. 2022. URL: <https://study.com/academy/lesson/federal-law-enforcement-agencies-responsibilities.html>.

4. Police technology. Mobility. 2021. URL: <https://www.britannica.com/topic/police/Mobility>.

5. F. Schiliro, K.-K.R. Choo, in Mobile Security and Privacy. Advances, Challenges and Future Research Directions, 2017. Pages 85-99.

6. The policy circle. Understanding law enforcement. URL: <https://www.thepolicycircle.org/brief/understanding-law-enforcement/>.

7. BJS Bureau of Justice Statistics, 2021 Law Enforcement. URL: <https://bjs.ojp.gov/topics/law-enforcement>.

8. Policing in the united states. Chapter 1: Policing in the United States Part I: Foundations of Policing. 2020. 16 Pages.

Ходацька С.,

здобувач ступеня вищої освіти магістра
Національної академії внутрішніх справ

Консультант з мови: Харчук Н.

FIGHT AGAINST TRANSNATIONAL CRIME IN THE WORLD

Organised crime threatens peace and human security, impedes human rights and undermines the economic, social, cultural, political and civil development of societies. Transnational organised crime, in particular illicit drug trafficking, relies on highly organised international logistical structures. It encroaches on national and regional borders, relying on well-established international criminal networks. The threats posed by transnational organised crime, linked not only to the manufacture, trafficking and consumption of illicit drugs, but also to trafficking in persons, smuggling of migrants, and environmental crimes, have been

amplified by weak border controls and money laundering. The huge sums of money involved can undermine legitimate economies and have a direct impact on public processes by 'buying' elections through corruption. These scourges greatly benefit their perpetrators and translate into high risks for those who fall victim to them. Every year, countless people lose their lives to organised crime actors, succumbing to drug-related health problems or injuries from firearms. In other cases, the loss of life is due to terrorism.

Organized crime, in particular, is a truly global phenomenon that affects the everyday life of all of us. It is more concealed than other crimes, as organized criminal groups make targeted efforts at keeping their crimes and organization under the radar of law enforcement authorities. It is also harder to eradicate, as it often insinuates the culture and even the way of living of populations around the world. As such, it can be effectively tackled only if people have the necessary knowledge to understand it and are empowered to stand up against it.

Transnational Crime Demands Transnational Strategies

While governments and law enforcement deal with mafias at a national level, the power of transnational organized crime has grown dramatically, in some cases undermining the democratic foundations of some countries. The new challenges of global crime that mainly come from infiltrations into the economic and financial system can no longer be ignored – countries must find effective strategies to control the illegal economy that revolves around transnational organized crime. The harmonization of laws across various nations is only one of the challenges to be addressed as soon as possible. Another major challenge lies in the «rules» of the global market. The criminal economy is against the laws of the countries, but not against those of the markets. It is also possible to economize outside or even against the law, and the mafias are the most authentic demonstration of this. It is no coincidence that the main world mafias (Italian, Russian, Chinese, Japanese, and South American) constitute the economic power in many developing countries and are capable of overturning the rules of the market, of conditioning the legal economy and democracy. Without new European and international regulatory interventions on occult economies and tax havens, starting with the breakdown of economic relations and financial embargoes, there is no progress because the «war» is fought with blunt weapons.

Trafficking of drugs, including cocaine, generates income to fund other crimes.

Twenty years after the UN Palermo Convention against Transnational Organized Crime (UNTOC), despite the undoubted progress in the field of international judicial cooperation, some critical points still emerge from the practice of law enforcement. The result is a constant challenge to the rule of law and fundamental rights, which also undermines people's right to safety and their trust in public authorities. Even the phenomenon of international terrorism, in its current form, knows no borders of states and regions. To be effective, the fight against terrorism

should be conducted in connection with the fight against other forms of organized crime and with a united spirit among all the institutions involved. The fight against the phenomenon of narco-terrorism and, more generally, the deadly combination of terrorism and organized crime-for the trafficking of arms and human beings, for the smuggling of oil, for kidnapping for the purpose of extortion, and for the financing of terrorism itself – would require not only a joint commitment but, above all, a «recognition» of the existence of this functional link between crime and terror.

Fortunately, in the most recent practice, there have been very significant cases of use of the Palermo Convention for the purposes of international cooperation against international terrorism, for example, in the South American and North African context. In this context, the contrasting of assets and the recovery of the proceeds of crime should be a primary objective for all countries that intend not only to «contain» but to defeat criminal organizations. To this end, it is not enough to arrest those responsible without confiscating their assets and sending them to social reuse. However, the cross-border dimension of mafia organizations requires effective and rapid forms of judicial and police cooperation, strongly favoring the moment of international coordination aimed at collecting evidence and identifying personal and property objectives. Moreover, it would be completely illusory to think that the dimension of transnational organized crime, which is increasingly active in criminal trafficking involving other continents in a structured and intense way, can be countered with the singular action of European countries without establishing enhanced cooperation with a wide range of countries located outside the European Union. A clear sign of the lack of a shared strategy is provided by the different approaches in defining threats and risks: a fragmentation that considerably restricts the possibility of exercising effective contrast. Sometimes, it is a question of strategic myopia that weakens the force of supranational legislative and operational action.

The Council adopted priorities for the fight against serious and organised crime through the European multi-disciplinary platform against criminal threats (EMPACT). Within the EMPACT framework, EU member states, agencies and other actors will work closely together to address these key criminal threats, using tools such as law enforcement training and joint operational actions to dismantle criminal networks, their structures and business models.

EU serious and organised crime threat assessment, presented by Europol, member states have identified 10 crime priorities:

- **High-risk criminal networks:** To identify and disrupt high risk criminal networks active in the EU, with special emphasis on those using corruption, acts of violence, firearms and money laundering through parallel underground financial systems.
- **Cyber-attacks:** To target criminal offenders orchestrating cyber-attacks, particularly those offering specialised criminal services online.

• **Trafficking in human beings:** To disrupt criminal networks engaged in trafficking in human beings, with special focus on those who exploit minors, those who use or threaten with violence against victims and their families and those who recruit and advertise victims online.

• **Child sexual exploitation:** To combat child abuse online and offline, including the production and dissemination of child abuse material as well as online child sexual exploitation.

• **Migrant smuggling:** To fight against criminal networks involved in migrant smuggling, in particular those providing facilitation services along the main migratory routes.

• **Drugs trafficking :**To identify and target the criminal networks involved in drug trafficking, including trafficking and distribution of cannabis, cocaine, heroin, synthetic drugs and new psychoactive substances.

• **Fraud, economic and financial crimes:** To target criminals orchestrating fraud, economic and financial crimes, including online fraud schemes, excise fraud, missing trader intra community fraud (MTIC fraud), intellectual property crime, counterfeiting of goods and currencies, criminal finances and money laundering.

• **Organised property crime:** To disrupt criminal networks involved in organised property crime, with particular focus on organised burglaries, theft and robberies, motor vehicle crime and illegal trade in cultural goods.

• **Environmental crime:** To combat criminal networks involved in all forms of environmental crime and in particular those with a capability to infiltrate legal business structures or set up own companies to facilitate their crimes.

• **Firearms trafficking:** To target criminals involved in the illicit trafficking, distribution and use of firearms. In addition to these priorities, the production and provision of fraudulent and false documents will be addressed as a common horizontal strategic goal, since it is a key enabler for many crimes.

The European strategy launches and updates the instruments of the Palermo Convention that the countries of the European Union have (to varying degrees) developed over the past 20 years, offering new ideas for ever closer cooperation between the United Nations and the European Union. The first point of the new strategy is the facilitation of the exchange of information and timely access to it through the expansion of Europol's powers, including in cooperation with third countries, the interoperability of databases, and a new dedicated platform for the exchange of information and electronic evidence between investigators and magistrates, increasingly crucial in the digital age.

Список використаних джерел

1. URL: <https://www.policechiefmagazine.org/reporting-criteria-for-detecting-violent-intent/>.

2. URL: <https://www.fincen.gov/resources/international/combating-transnational-organized-crime>.

3. URL: <https://press.un.org/en/2010/gashc3975.doc.htm>.
4. URL: <https://www.pubaffairsbruxelles.eu/eu-institution-news/fight-against-organised-crime-council-sets-out-10-priorities-for-the-next-4-years/>.

Худинець Д.,

здобувач ступеня вищої освіти бакалавра
Національної академії внутрішніх справ
Консультант з мови: Скринник М.

FEATURES OF NON-CONTRACTUAL OBLIGATIONS IN NON-PROPERTY DAMAGE

Non-contractual obligations cover both tortious obligations and obligations which arise from unjust enrichment and analogous doctrines. Until relatively recently, choice of law rules formulated by the courts held sway in relation to both torts and restitution [1].

However, «non-contractual obligations» may also be understood in a more meaningful sense. Such a concept presupposes by implication first that the law of non-contractual obligations can plausibly be separated from contract law, and second that the law of non-contractual obligations can be explained as an internally coherent part of the law of obligations. In other words: non-contractual obligations may be presumed to be fundamentally different from contractual obligations on the one hand, and to be based, at least in part, on a coherent set of overarching principles on the other.

The law applicable to non-contractual obligations governs in particular:

- the basis and extent of liability, including determining who may be held liable;
- the grounds for exemption from liability and the limitation or division of liability;
- the existence, nature and assessment of damage and the remedy claimed;
- the measures the court may take to prevent or terminate injury or damage and ensure compensation;
- the manner in which an obligation may be extinguished and the rules relating to prescription or limitation;
- the question as to whether the right to seek compensation can be transferred to someone else, including by inheritance;
- persons entitled to compensation for damage they have sustained;
- liability for the acts of another person [2].

Today, a common source for such a meaningful concept of non-contractual obligations can be found on the basis of ideas that were once developed, by early natural lawyers, as a comprehensive theory of non-contractual obligations. Within the concept of restitution (*restitutio*), this theory comprised large parts of modern tort law and unjustified