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Ціко Х.,

студент Національної академії внутрішніх справ
Консультант з мови: **Зубенко В.О.**

THE FOREIGN EXPERIENCE OF PUBLIC CONTROL OF POLICE ACTIVITY AND ITS IMPLEMENTATION IN UKRAINE

As a member of the Council of Europe, Ukraine, in accordance with the Paris Charter for a New Europe of November 21, 1990, assumed the responsibility to accede to international human rights standards, to establish internal guarantees of their implementation, based on generally accepted international legal guarantees, enshrined in the relevant international legal norms.

The need to introduce uniform international standards into the work of the police is conditioned by the increase in the level of transnational organized crime, the rapid pace of population migration in the world, the significant differences in national policing systems, and the problem of ensuring human rights in the police activity. The signing of international agreements also stipulate in the police activities the strict observance of standards in the field of human rights protection during the implementation of law enforcement functions, the need to respond to the emergence of new types of crimes and act in accordance with international human rights standards. Therefore, there is an urgent need to harmonize the principles of the National Police of Ukraine (hereinafter – NP) with world (in particular European) standards. First of all, it refers to the transition from the punitive to the socio-service content of its activities, the transformation of the police into a law-enforcement institution of the European model, which should provide law-enforcement services to citizens.

Therefore, based on the new "servicing" function of the police, the main customer of police services is the people of Ukraine, its citizens, who, by paying taxes, hold the police, and that's why have to legally determine the guarantees of control over their activities. Modern latest Ukrainian legislation regulating the system of rights of citizens in general and the observance and protection of their police provides certain opportunities for public control over the activities of the police, but the forms of such kind of public control, technologies and methods of its implementation need to be improved taking into account the foreign to all the European experience of public control over the activities of the police.

Thus, the purpose is to find out the means and methods of public control over the activities of the police in foreign countries (before the whole of Europe) and to identify the directions of its implementation in the national doctrine of the development of public control institutions for the activities of the National Police in Ukraine.

According to the current legislation, and in particular Section VIII "Public Control over Police Activity", the Law of Ukraine "On National Police" regulates the following forms of public control over police activities: receiving and publishing a report on police activity; control over the activities of the head of the police and the adoption of a resolution to distrust it; through interaction between the heads of territorial police bodies and representatives of local self-government bodies; by involving the public in the consideration of complaints about actions or omissions of police officers [1].

Despite the existence of legally defined forms of public control over the activities of the National Police, it is necessary to determine the means and methods of its implementation, which may include: 1) representation of the public in collegial bodies under the central and territorial units of the NP; 2) public participation in the discussion and preparation of legal acts regulating the activities of the NP; 3) direct appeal of citizens to the organs of the NP for the purpose of obtaining information about their activities; 4) circulation of mass media to the units of the National Defense Agency in order to obtain public information about their activities and its disclosure; 5) the participation of representatives of the public in the selection of personnel in the state of emergency and the certification of personnel; 6) participation of representatives of the public in the course of official examination of complaints about actions or inactivity of the police; 7) organizing public opinion polls on the activities of the NP.

In the basis of the systematic study of forms of public control over the activities of the police in foreign countries and the ways of its implementation, we rely on the principle of selectivity, which is based on the study of international experience of successful political, economic, social plan countries (France, United Kingdom, Germany, USA, Canada, Japan) in which the public is actively involved in the activities of the police.

It should be noted that among the diversity of forms of public oversight of police activities in foreign countries, the active participation of the public in co-operation with the police, aimed at taking a number of preventive measures aimed at preventing (minimizing) violations of public order, and eliminating the consequences of such violations, are most effective, especially at the local (municipal) level; participation in joint

meetings of local police and municipalities; participation in the protection of public order in the event of an enhanced version of the police service.

Unfortunately, in the current legislation, and in particular Section VIII "Public control over the activities of the police" of the Law of Ukraine "On National Police", such forms of interaction between the public and the police did not find their normative consolidation, and perhaps this is due to the fact, that the long-standing practice of involving the public in participation in the police activities was to forcibly involve citizens as people's warriors in order to safeguard public order, has not been effective in recent years. Since such forms of interaction between the public and the police as involving the holding of meetings, participation in the selection of personnel in the police, public assessment of the results of the police activities were almost non-existent, they formed the basis of the new Law "On National Police" as a normative act which is primarily regulated police but not public activities.

Despite this, the legal framework for the possible participation of citizens in the activities of the police is still determined by the Law of Ukraine "On Citizen Participation in the Protection of Public Order and the State Border" of June 22, 2000, No. 1835 III [5], in particular in Article 1 of this Law, which states "public formations for the protection of public order and the state border may be established on the basis of public amateurs as consolidated units of public formations, specialized units (groups) of assistance of the National Police to assist in preventing and terminating the protection of the life and health of citizens, the interests of society and the state from illegal encroachments, as well as in the salvation of people and property during a natural disaster and other extraordinary circumstances" [2].

Taking into account the analysis of foreign experience in the implementation of certain forms of public control over the activities of the police in a number of countries and in particular countries it becomes possible, in particular, to identify prospective ways of its implementation in Ukraine, which should include: 1) determination and normative consolidation of the grounds, forms and methods of involving citizens to the protection of public order in the new Law of Ukraine "On public participation in the protection of public order", which should be developed and adopted to replace the Law "On the participation of citizens in the protection public order and state border"; 2) the definition in the Law "On National Police" of one of the forms of public control over police activities – participation in voluntary activities of citizens in the protection of public order, detection, fixing and investigation of the circumstances of committing offenses and crimes and taking measures to eliminate the causes

and conditions for their implementation. 3) development and adoption of state and municipal public participation programs in the protection of public order and security, which should determine the effective rather than formal grounds, forms and procedures for such activities, including the establishment of a mechanism for the interaction of the police and the public in this area.

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Черната О.,

курсант Національної академії внутрішніх справ
Консультант з мови: Ковальова Т.О.

CYBERCRIME IN FRANCE

France has most cybercrime victims in Europe. The French suffer more from cybercrime than any other Europeans, computer security company Symantec has found. And French companies need to take urgent action to protect themselves from fraud and espionage on the internet, the head of the national cyber security agency warns. The security company Symantec reported 41% of French smartphone users have been victims of criminal acts in the past year compared to 29 % in Europe and 38 % worldwide.

A Symantec poll also found that 43% of French web surfers are connected to people they don't know on social networks. At the same conference the boss of the French state's cyber security agency, ANSSI, declared that the "survival of the nation" depends on French companies to "act quickly" to protect themselves from cybercrime and internet spying [1].

The French Network and Information Security Agency (ANSSI) was created in 2009 and is the national cyber security authority. Acting as a genuine "first responder" in French cyber space, ANSSI is responsible for preventing and reacting to IT incidents effecting sensitive institutions. It also organizes crisis exercises on a national level. ANSSI currently employs 600 people and continues to grow.

France adopted a national cyber security strategy in 2015. This Strategy aims to accompany French society's digital transition and address