

required documents by criminals. The main difference lies in criminal's aim and in victim's awareness about the conditions and character of work. If it is «smuggling of illegal migrants», the aim of a criminal is a remuneration from a migrant for the illegal border crossing. That's where his interest ends. As for «human trafficking», the aim of a trafficker is getting remuneration not from a migrant but from his recipient.

To respond to this problem adequately our country with all the international community, should contribute to dissemination of common terms and notions for other countries and international organizations for fighting and elimination of this type of crime.

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THE PROBLEM OF HUMAN TRAFFICKING IN THE ARMED CONFLICTS: PREVENTION AND COMBATING

The problem of increasing global phenomenon of human trafficking is one of the most serious human rights violation that we face in the 21st century. Human trafficking affects the lives of millions of people of different age, gender, nationality, race, economic and demographic inequalities all around the world. According to the escalation of the amount of armed conflicts, such as Syrian war, Armenia–Azerbaijan border crisis, Iraq conflict, Kurdish–Turkish conflict, Russia's invasion in Ukraine, etc., the most vulnerable groups of people who may become the victims of human trafficking are refugees and other forcibly displaced people. So that, it is critically important to eradicate all forms of human trafficking and prevent the new ones.

Human trafficking is the trade of people which includes recruitment, transportation, transfer, harboring through force, fraud or deception, with the aim of exploiting them for profit. The international legal framework for addressing the issue of human trafficking cuts across a spectrum of areas of international law including human rights, transnational and international criminal law, humanitarian law, and international labour law. Recently, the

Security Council Resolution 2331 (2016) condemned all instances of human trafficking in areas affected by armed conflicts [4].

Conflict situations greatly increase the risks of trafficking in persons. People in fear are supposed to flee, leaving behind more than just their homes. Being away from their familiar surroundings, they often lose their community support networks and end up being socially and culturally isolated. The vast majority of those are women and children, who cross the borders without resources and places to go that makes them vulnerable to human trafficking. Since Russia's massive invasion in Ukraine on February 24 more than 10 million people have fled Ukraine. As the war continues, this amount of people desperate for income, employment, or the promise of safety and security has been growing [5]. For the millions of people who are forced to flee their country because of armed conflict, their way of escape has become increasingly expensive and hazardous - and the risk of trafficking-related exploitation has risen sharply. Refugees fleeing the East and the South of Ukraine are compelled to pass through Russia, that has arranged the war. Throughout their way and at their destination, refugees are highly vulnerable to physical violence, sexual assault, extortion, trafficking and detention by national authorities.

Armed conflicts fuel the impunity, the breakdown of law and order, the destruction of institutions and communities that foster the conditions in which trafficking will flourish, often well past the point at which hostilities cease [6]. In many armed conflicts there is reported a forced military recruitment, typically of young adult men. It should be noted that several States have amended their anti-trafficking laws to include recruitment into military service as a form of «exploitation», which, when combined with means such as fraud, coercion or abuse of a position of vulnerability may constitute human trafficking. Many are those children are abducted for use as combatants. There have been reports of children being forcibly recruited or kidnapped for use by armed militias in the ongoing conflicts in Ukraine and Syria. The additional reports mention children being used as suicide bombers and human shields in Afghanistan and Iraq. Male and female children in these situations are often sexually abused and may also be forced to take drugs [2]. Consequently, they face a range of serious physical and psychological problems.

So that it is important to consider the ways in which the international community, states and civil society can work together to raise awareness about trafficking during the conflicts, work to prevent such trafficking, and respond quickly, appropriately and effectively when it does occur. International law requires States to criminalize and penalise a range of conduct related to trafficking. The obligation to criminalize trafficking when committed intentionally is set out in Article 5 of the Trafficking Protocol. Most States are party to the Protocol and thereby bound by this obligation [3].

It is necessary to determine the ways of combating and preventing human trafficking in armed conflicts. First of all, refugees should be

informed by central level to enable accuracy and consistency of information, avoiding the fragmentation. Secondly, to ensure sufficient protection for children, especially unaccompanied and separated children. To reduce the risks of human trafficking, there is a clear need for effective temporary guardianship mechanisms to be in place and for alternative housing for children, outside institutional care. Furthermore, the lack of financial means puts refugees at risk of trafficking – especially those who (due to non-registration) have no access to financial support or income [1].

Ukraine cooperates with Europol in investigation of serious crimes, including human trafficking. Europol set up a dedicated Virtual Command Post for human trafficking to facilitate real-time operational exchange between Ukraine and some other counties. They coordinated online joint action day targeted criminal networks grooming Ukrainian refugees for sexual and labour exploitation via websites and social media platforms. Law enforcement authorities from 14 EU Member States took part in it. The investigators monitored different online platforms to detect criminal networks attempting to recruit vulnerable Ukrainian refugees. The online investigations focused on the monitoring of posts offering help to refugees for transportation, accommodation and work. During the action day, investigators identified suspicious advertisements, looked into tips received from citizens, reviewed indicators of potential trafficking of human beings for sexual and labour exploitation and updated their situational awareness on existing online platforms linked to trafficking activities.

Unfortunately, Ukraine currently has no national action plan or strategy on combating trafficking. Preventing human trafficking of refugees governments need to step up the establishment of policies and action plans, and ensure adequate resources for their implementation. Conversely, developments that seek to curtail and limit refugee protection will likely negatively impact trafficked persons' access to and enjoyment of such protection. For today it is extremely important to make such researches in order to analyze problematic aspects of combating and prevention of human trafficking during the armed conflicts. Moreover, we have to concentrate attention on close cooperation between law enforcement agencies throughout the including both national and international. And the criminal justice response to human trafficking during the armed conflicts needs to be enhanced.

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ORGANIZED CRIME AND CORRUPTION

Organized crime and endemic corruption threaten the stability of Ukraine and undermine its transition to a market economy. The indigenous crime problem of Ukraine is significant, but the problems are exacerbated by the criminalization of the Russian state and most of the successor states of the former USSR. Ukraine's very independence is threatened by its inability to satisfy its citizens' financial needs, a problem severely exacerbated by the endemic corruption and the hijacking of the privatization process by former members of the nomenklatura (party elite). Nationalism, a potent force for state construction in Ukraine, cannot alone counteract the corrosive impacts of crony capitalism and organized crime.

Corruption in Ukraine is strongly linked to organized crime. It is clear that the fusion of money and power since independence in 1991 transformed the role of Ukraine's law enforcement institutions, so that their original task of protecting the Soviet system from within became one of supporting criminal activity by the new economic and political elites. Organized crime became synonymous with the functioning of the state.

Present day organized crime and corruption in Ukraine, complex in both content and structure, are a direct result of the profound economic, cultural, and political changes brought about during Ukraine's transition as a Newly Independent State. According to the Ministry of Internal Affairs, in 1990, the number of recorded economic crimes in Ukraine was 35, 723; by 1999, this figure had risen to 65,724. Hidden figures and underreporting, however, ensure that these numbers are a gross underestimate. The highest levels of criminal activity occur in the credit and financial system; the fuel and energy sector, the area of taxation; mining and metals industries; foreign economic activity; and the area of privatization. Money is laundered through real estate, insurance, financial and non-financial institutions, shell companies, and bulk cashsmuggling schemes. Criminals use aliases to register as [ultimate beneficial owners] UBOs of companies to comeingle licit and illicit funds. Transnational organized crime syndicates use Ukraine as a transit country for money and drugs. Transactions are routed through offshore tax havens to obscure ownership, evade taxes, or mask illicit profits.