DOI: https://doi.org/10.34069/AI/2023.63.03.15

low to Cite:

Skriabin, O.M., Kurakin, O.M., Slinko, D.S., Rybalkin, A.O., & Shapar, A.O. (2023). Prospects for the transformation of the domestic law enforcement system in the conditions of russian aggression. *Amazonia Investiga*, 12(63), 164-174. https://doi.org/10.34069/AI/2023.63.03.15

# Prospects for the transformation of the domestic law enforcement system in the conditions of russian aggression

## ПЕРСПЕКТИВИ ТРАНСФОРМАЦІЇ ВІТЧИЗНЯНОЇ ПРАВООХОРОННОЇ СИСТЕМИ В УМОВАХ РОСІЙСЬКОЇ АГРЕСІЇ

Received: March 10, 2023 Accepted: April 20, 2023

Written by:

Oleksii M. Skriabin<sup>1</sup>

https://orcid.org/0000-0002-8915-5943

Researcher ID: ADX-2439-2022

Oleksandr M. Kurakin<sup>2</sup>

https://orcid.org/0000-0002-0274-6530

Researcher ID Web of Science: AAZ-5861-2021

Dmytro S. Slinko<sup>3</sup>

https://orcid.org/0000-0001-7793-3667

Web of Science Researcher ID: ABD-1351-2021

Andrii O. Rybalkin4

https://orcid.org/0009-0004-2865-3158

Researcher ID Web of Science: HZJ-9093-2023

Artem O. Shapar<sup>5</sup>

https://orcid.org/0000-0001-5327-701X

Web of Science Researcher ID: ABD-1484-2021

## Abstract

Russian aggression has a direct impact on the Ukrainian law enforcement system, because it is a direct threat to the security and integrity of the state. The paper aims to determine effective means of transformation of the law enforcement system of Ukraine in the conditions of russian aggression. On the basis of a systematic analysis of theoretical information, the main threats to the law enforcement system of Ukraine were determined: direct, caused by russian aggression, hybrid and internal. At the current stage, some reforms of the law enforcement system have been implemented: creation of the National Police, an anti-corruption body, the SOCTA methodology for combating organized crime has been implemented, the "PRAVO-Police" program has been implemented, as well as martial law has been implemented. The following issues require

## Аннотація

Російська агресія завдає безпосереднього впливу на українську правоохоронну систему, тому що є прямою загрозою безпеці та цілісності держави. Метою статті  $\epsilon$  визначення ефективних засобів трансформації правоохоронної системи України в умовах російської агресії. На основі системного аналізу теоретичних відомостей визначені основні загрози правоохоронній системі України: викликані прямі, російською агресією, гібридні, серед яких(організована злочинність та економічні злочини і внутрішні, корупція, відмивання яких належать незаконних коштів серед співробітників правоохоронних органів та недостатній рівень довіри співробітникам правоохоронних органів. На сучасному етапі реалізовані деякі реформи правоохоронної системи: створення

<sup>&</sup>lt;sup>5</sup> PhD of Law, Associate Professor Deputy Director for Educational and Research Activities of the Kryvyi Rih Educational and Scientific Institute Donetsk State University of Internal Affairs, Kryvyi Rih, Ukraine.



<sup>&</sup>lt;sup>1</sup> Professor, Doctor of legal sciences, Professor of the department of civil and economic law of the Kryvyi Rih Educational and Scientific Institute of the Donetsk State University of Internal Affairs, Kryvyi Rih, Ukraine.

<sup>&</sup>lt;sup>2</sup> Professor, Doctor of legal sciences, Dean of the Faculty Donetsk State University of Internal Affairs, Kropyvnytskyi, Ukraine.

<sup>&</sup>lt;sup>3</sup> Associate Professor, Doctor of Law, Professor Lviv University of Business and Law, Lviv, Ukraine.

<sup>&</sup>lt;sup>4</sup> Associate Professor, Candidate of legal sciences, Director of the Luhansk Educational and Scientific Institute named after E.O. Dydorenko of the Donetsk State University of Internal Affairs, Ivano-Frankivsk, Ukraine.



further resolution: ineffective personnel policy and low level of trust in law enforcement officers, use of outdated work methods in the law enforcement system. The solution of these issues is possible through the following measures: the introduction of modern technologies, the use of artificial intelligence and extensive data in the law enforcement sphere. This will increase the level of security of the state, citizens and civil society institutions.

**Keywords:** law enforcement system, reforms, threats, russian aggression, state institutions, Ukraine.

#### Introduction

Russian aggression against Ukraine began in 2014, but until 2022 it took place in the form of a "hybrid war". This situation was unexpected for the Ukrainian law enforcement system, as a result, imperfections were revealed in it that threatened the internal security of the state. Starting from February 2022, Russia's full-scale war against Ukraine began, which caused the appearance of new threats and the identification of imperfections in the law enforcement system.

Changes in the Ukrainian state in the context of Russian aggression are associated with the need to combat open aggression, violation of foreign territorial supremacy and state sovereignty. In addition, information, economic and political changes are taking place in parallel, which can act as hybrid threats. These threats can destroy government, society, economy, and sociocultural ties, contributing to the aggressor's goals.

Among the hybrid threats, the most serious are:

- militant activity 56%;
- illicit trafficking of firearms, ammunition, explosives - 54%;
- the emergence of new criminal schemes in the economic sphere - 42%;
- activities of criminal groups aimed at deepening the criminal situation and destabilizing the internal socio-political situation in Ukraine - 41%;

Національної поліції. антикорупційного органу, впроваджена методологія SOCTA для боротьби з організованою злочинністю, реалізована програма «ПРАВО-Поліція», введений в дію режим воєнного стану. Подальшого вирішення потребують наступні проблеми: неефективна кадрова політика та низький рівень довіри до співробітників правоохоронних органів, застосування застарілих методів роботи в правоохоронній системі. Вирішення вказаних проблем можливе за допомогою наступних заходів: створення ефективної моделі взаємодії правоохоронних організаціями громадянського органів 3 суспільства, впровадження сучасних технологій, використання штучного інтелекту та великих даних в правоохоронній сфері. Це дозволить підвищити рівень безпеки держави, інститутів громадянського громадян та суспільства.

**Ключові слова:** правоохоронна система, реформи, загрози, російська агресія, державні інститути, Україна.

 export to the territory of Ukraine by the aggressor of representatives of the criminal world - 41% (Council of the European Union, 2010; Kovalchuk, Korystin & Sviridyuk, 2019).

All this necessitates the transformation of the law enforcement system of Ukraine, in accordance with modern realities and taking into account all threats that may harm the security of the state and citizens. It should also be noted that in addition to the emergence of new threats as a result of Russian aggression, changes are taking place in society due to technological and informational development, which cause the need to improve the law enforcement system - its structure, methods and principles of public administration. Digitalization is taking place in Ukraine, which has affected all spheres of life in general, and the law enforcement system in particular. Modern information technologies make it possible to improve the activities of the law enforcement system and solve some of the existing imperfections.

In the context of the rapid development and implementation of information technologies in all spheres of human activity, which significantly change the principles, order, content and forms of interaction in the virtual environment of legal entities and individuals in the process of both economic activity and personal (interpersonal)

communications, the issues of developing legislative norms and modernizing the law enforcement system at the present stage of digital transformation and the development of the information society are of particular relevance.

That is, the threats caused by Russian aggression, hybrid threats, as well as changes caused by information and technological development, make it necessary to transform the law enforcement system of Ukraine in accordance with modern realities.

The paper aims to identify the effective means of transformation of the law enforcement system of Ukraine in the conditions of Russian aggression based on the analysis of the current state, existing problems in the law enforcement sphere and foreign experience of optimizing the law enforcement system.

## Metodology

To achieve the goals set in the article, a comprehensive review of the transformation of the law enforcement system of Ukraine in the conditions of Russian aggression was carried out, involving the use of special and general-theoretical scientific approaches and methods. The methodological basis of the article is general scientific and special methods of cognition, in particular:

- the dialectical method, with the help of which the development of the law enforcement system in Ukraine and the relationship between the individual elements of the law enforcement system and external factors of influence on it are determined:
- system analysis made it possible to determine the causes, conditions and consequences of implementing changes in the law enforcement system;
- the logical-legal method was used to analyze the peculiarities of the Ukrainian law enforcement system;
- the method of comparative law is applied to compare the legislative measures used in different countries in the conditions of hostilities;
- the method of comparative analysis is used to study methodological approaches, concepts of leading domestic and foreign scientists on the issue under consideration;
- abstract-logical method and method of generalization were used for summarizing theoretical propositions, establishing causeand-effect relationships and forming conclusions.

#### Literature review

An effective law enforcement system is the goal of every state. The effectiveness and efficiency of the law enforcement system becomes especially important during a full-scale war, during which there is a direct danger to the integrity of the state in general, and to citizens in particular. The modern Ukrainian enforcement system is gradually moving away from the model of the Soviet period, thanks to the implemented reforms, and is also approaching European standards. In the scientific literature, the issue of defining the essence of the concept of "law enforcement system" and its relationship with the concept of "law enforcement agencies" is debatable. The analysis shows that the concept of "law enforcement system" is more voluminous in nature than the concept of "system of law enforcement agencies". The law enforcement system includes not only specialized law enforcement structures, but also separate law enforcement state authorities, legal institutions, norms, legal methods and means.

Classifying scientific approaches to defining the law enforcement system, Dudchenko O.O. claims that there is a "conditional division of them into two groups: the first should include the views of researchers who consider the law enforcement system as a set of bodies that carry out law enforcement activities, to the second-researchers who consider the law enforcement system as a complex phenomenon that structurally includes other elements along with law enforcement agencies" (Dudchenko, 2019a: 145).

The essence of the law enforcement system is revealed by O.H. Bratko, by which he understands "a complex of state-legal means, methods and guarantees, which ensure the protection of public relations from unlawful encroachments and indicates that the law enforcement system includes not only special law enforcement agencies, but also other law enforcement agencies of the state, as well as legal means and methods of legal protection and legal norms" (Bratko, 2004: 65).

Determining the leading institutions in the law enforcement system, first of all, legal institutions should be noted, and secondly, state institutions. This necessitates consideration of the relationship between legal and state institutions in the law enforcement system. In this aspect, the definition of the law enforcement system proposed by S.H. Bratel is reasonable: "the law enforcement system is a set of state legal means,



methods and guarantees that ensure the protection of a person from illegal violations" (Bratel, 2015: 64).

An interesting approach to defining the essence and specificity of the law enforcement system is to view it as a social system: the law enforcement system is a social system that reflects the unity and interconnectedness of normative and legal regulation in the law enforcement sphere, "the organization of the system of law enforcement agencies and other subjects of law enforcement activity, as well as the law enforcement activity itself, aimed at protecting and defending the foundations of the constitutional order, including the rights, freedoms, and lawful interests of individuals and citizens, legality and law and order" (Sokolenko, 2013: 92). The emphasis in this definition is on the fact that the system of law enforcement agencies is a subsystem of the law enforcement system, which is a subsystem of the legal system.

Scientists identify the main components of the law enforcement system, which include: "protective legal norms, goals, principles, functions, tasks, subjects, objects of law enforcement, law enforcement activities, as well as law enforcement relations" (Pluhatar, 2014: 25).

O.O. Dudchenko emphasizes the multi-level nature of the law enforcement system, stating that "the law enforcement system is a multi-level social system that exists in the state and unites bodies and institutions that, based on and within legal norms, carry out law enforcement and protective activities to ensure legality in the state." (Dudchenko, 2019a: 147).

A.M. Kulish (2009) defines the law enforcement system as a "multi-level social system, consisting of legal means, methods, and guarantees that ensure the protection of social relations from unlawful encroachments, and state bodies that perform law enforcement functions." Scientists also define the system of law enforcement agencies as a "holistic complex, the systemforming factor of which is not a structural but a functional criterion - direct law enforcement activities, which is determined by their common functional purpose, primarily the protection and defense of rights" (Zahumenna, 2020).

All these approaches reflect the essence of the concept of the law enforcement system, but they do not specify the specifics of law enforcement structures. "The law enforcement system can be viewed as a complex composite formation that

represents a set of law enforcement structures. state and municipal legal means" (Kubaienko, 2022: 124). The main goal of the law enforcement system is to protect human values, rights, and freedoms. The nature of the law enforcement structures' duties is public and legal.

In summary, based on the above definitions, the concept of a law enforcement system can be defined as the structures of a state and municipal nature that implement law enforcement functions with the aim of ensuring the safety and legality of society, protecting the rights and freedoms of citizens, state institutions from various violations of the law.

The aim of law enforcement activity is "safety, protection of human and citizen rights and freedoms; ensuring public order and public safety: maintenance of law and order: implementation of the principle of the rule of law" (Kuchuk, 2005: 68). As noted by D. Mishchenko et al., (2019), among various types of security of social objects, a special place belongs to the national security of the country. This is the state of the country when external and internal threats to national values and the national way of life are absent or eliminated, and the realization of its important interests is ensured. Therefore, national security involves protecting the vital interests of citizens, society, as well as national values and way of life, from a wide range of external and internal threats of various natures (political, economic, military, environmental, etc.).

When considering the structure of the law Buhanova enforcement system. M.A. distinguishes two components:

- The normative subsystem, which consists of safety standards.
- The institutional subsystem, which includes the law enforcement activities of relevant organizations and agencies (Buhanova, 2002: 18).

The identification of these components is typical when considering the law enforcement system as an element of the legal system. However, such an approach excludes law enforcement agencies as an element of the law enforcement system, which must be an integral part of it.

The legal system, in turn, can be considered as a complex of coordinated and interdependent legal means designed to regulate social relations and legal phenomena that arise as a result of regulation (legal principles, legal norms, legal

relations, legal culture, legislation, legal consciousness, legal technique, legal institutions, law and order, the state of legality, etc.) (Skakun, 2001: 237).

The law enforcement system, like any system, can be considered as a set of other systems. According to this approach, the structure of the law enforcement system, as a unity of its elements, as well as their interrelationships, contains the following subsystems:

- a) the normative-legal subsystem is a set of various legal norms and other means of regulating relations (morality, customs, historical and national traditions, laws, constitution);
- the institutional subsystem consists of law enforcement bodies, specially created and authorized by the state to carry out law enforcement activities;
- the functional and practical subsystem combines the methods of implementing the law, law enforcement activities to ensure the observance of the freedoms and rights of citizens, their implementation;
- d) the communication subsystem is a set of principles of interaction and relations formed within the law enforcement system.

Also, the structure of the law enforcement system can be presented in the form of interaction of the following elements:

- 1. Law enforcement ideology. This phenomenon is the ideological basis of the law enforcement system and concentrates dominant ideas, thoughts, theories, doctrines about the essence, goals, principles, ideals, means of protecting human rights, evaluating the effectiveness of law enforcement, prospects for its development, etc.
- 2. Law enforcement policy. Law enforcement policy determines the official course of the state in the sphere of protection of individual rights and freedoms, forms its strategy and tactics, setting the general orientation in the activities of the entire state.
- 3. Law enforcement institutions (organizations) are a system of state and non-state bodies, institutions, and organizations that perform the functions of protecting individual freedoms and rights.
- Law enforcement norms and legislation, which are the normative basis of the law enforcement system.
- 5. Law enforcement relations, which are social relations regulated by law.

6. Legal practice, as a type of legal activity, is the activity of subjects of law enforcement relations that is carried out in unity with accumulated social and legal experience (Dudchenko, 2019b: 45).

Reform of the law enforcement system is a prerequisite for any other reforms in Ukraine; law enforcement reforms should be coordinated and integrated with departmental plans and programs; the task of reforming is to ensure that there is a correspondence between tasks and functions, structure and people and resource provision (Chumak, 2015).

As a result of the transformation of the law enforcement system of Ukraine, new law enforcement bodies appeared - the National Police; anti-corruption bodies. Changes are also planned in the judicial system, as noted in the Strategy for the Development of the Judiciary and Constitutional Justice System for 2021-2023 (Decree № 231/2021, 2021).

However, there are still issues that require further resolution. Such issues include inefficient personnel policy, the need to optimize the structure of law enforcement agencies. Today, the institutional construction of the law enforcement system is in a state of permanent formation (Ivanets, 2018: 62).

Another problem in the law enforcement system in Ukraine is corruption in law enforcement agencies. Statistical data indicate a high level of corruption in law enforcement agencies. "In order to prevent corruption, it is proposed to develop a general code of conduct for a law enforcement officer and relevant disciplinary codes with the definition of a procedure for bringing them to disciplinary responsibility, the types and limits of penalties for official offenses and the conditions for encouraging moral official conduct" (Nikolenko, 2013: 92).

The problem of money laundering is interconnected with corruption, as corrupt public officials seek to conceal illegally obtained funds that they have misappropriated. "Such actions have negative social consequences and require joint international efforts to combat them" (Graycar, 2019: 299). "Preventing corruption is possible if all employees in the law enforcement sector start feeling responsible for achieving the common goal of creating a corruption-free state body" (Nakonechna, 2019: 135). "The main way for law enforcement agencies to cooperate with other national and international agencies is



through the exchange of information" (Steblianko, 2020).

As a result of implementing such changes, it is possible to achieve more effective interaction between society and law enforcement agencies. "Due to delayed notification, information regarding the preparation or commission of actions aimed at money laundering may be missed, while insignificant notification will be taken into account."

There is a need to create a system for filtering messages received by law enforcement agencies" (Motuzna, Reznik, 2022). In developed countries, special programs are being developed to improve the management of law enforcement officers and improve personnel policy in this area. Special attention is paid to "reducing the pay gap between the public and private (civil) sectors and optimizing the police structure, developing indicators of job performance by officials, and forming a new work ethic among law enforcement officers" (Rizvi, 2005: 13).

Law enforcement agencies in many countries are undergoing qualitative changes. Thus, police reform is being implemented in order to change the state-oriented priorities of activities to socially-oriented priorities. "Most agencies experience an information deficit and are unable to accurately identify issues. They often lack the administrative and cultural flexibility to respond instantaneously to a rapidly changing environment" (Greene, 1998).

Increasing the effectiveness of the law enforcement system is also a preventive measure in the fight against threats and crime. Thus, criminals often notice when the fight against crime is improving in a particular country, and they redirect their activities to more vulnerable countries (Steblianko, 2020). This is one of the reasons to work on the transformation of the law enforcement system in Ukraine - to make it safer and less attractive to criminals.

## Results and discussion

In the context of Russian aggression, it is important to reform Ukraine's law enforcement system in line with the new conditions and challenges to ensure security for the state and the rights and freedoms of people and citizens.

Scientists Rover and Bienert (2017), Ahl (2019) identify the importance of the role of the police in terms of ensuring human and civil rights. They emphasize the need for cooperation between law enforcement agencies, civil society institutions and citizens to increase the level of ensuring democratic rights and freedoms in the state. "Police activity based on cooperation with the population, communities, and citizens aimed at preventing offenses and crimes is an urgent need of today. One of the ways to solve this task is to improve the interaction of the police with the population, which is a guarantee of the population's trust in the police" (Maiorov, 2020: 189).

Empowering civil society to participate in decision-making in the law enforcement sphere can improve public perception of law enforcement agencies, including the police. Research shows that public satisfaction with the police is not only dependent on the level of crime, but also on how the police interact with citizens ((Lorraine et al, 2013; Ben, 2014; William, 2007).

The interaction of the state and civil society in the process of monitoring the activities of state bodies is possible thanks to the development of forms of public control, public expertise, public discussions, and public hearings (Kovaliv, 2021; 82). "The main element of the mechanism of partnership relations between the abovementioned subjects are social technologies of long-term design" (Hurkovskyi & Yesimov, 2018: 141-142).

The main goal of such interaction is to ensure the unity of actions, mutual assistance and joint efforts to successfully solve joint tasks. At the same time, "interaction and mutual assistance should be clearly agreed both on the goals (tasks) of actions, and on the place and time of joint events" (Zavalnyi, 2018; 147).

In a study on the effectiveness of law enforcement agencies, researchers Jonathan Chase, Jiali Du, Na Fu, Truc Viet Le, and Huong Chuin Lau found that it becomes more difficult for law enforcement officers to respond to calls and reports of crimes. This is a consequence of inefficient allocation of resources, which leads to inhibition of the work of law enforcement officers. Scientists believe that it is appropriate to "change the principles of forming the staff, distributing finances and generating work schedules for employees" (Chase et al., 2017: 3). Wilson and Weiss (2012) also note the need to develop a more flexible approach to staffing. Optimizing the workforce should focus on addressing personnel allocation and workforce scheduling issues (Cezik & L'Ecuyer, 2008).

The use of modern technological means and artificial intelligence, which can not only make people's lives easier, but also effectively protect them, is also important in terms of the transformation of the law enforcement system (Zhdanov, 2019). In studies of the role of information and communication technologies and systems in ensuring and maintaining public order, combating and preventing crime, "a significant place is occupied by the latest achievements in science and technology, the use of modern information and telecommunication (Tsimbal. networks" 2015: 236). effectiveness of the police work and the high level of professionalism of its employees are directly related to the wider implementation of modern technologies" (Strom, 2016).

By using big data, we can timely detect crimes and offenses, and coordinate the activities of law enforcement agencies for a quick and effective case hearing (Wanhua et al., 2018).

In addition, the transformation of the law enforcement system in the conditions of Russian aggression involves the introduction of restrictions on the rights and freedoms of citizens in order to ensure national security.

Kovalchuk et al., (2019) emphasized the need to forcibly limit people's civil rights aimed at achieving a state of public order.

In this aspect, it is important to find a balance in limiting rights and freedoms not only for citizens, but also for representatives of law enforcement agencies. In parallel with the development of modern information and digital technology, law enforcement agencies are getting more and more opportunities to restrict the rights of citizens. It should not cross the boundary of personal freedom and privacy without visible reasons" (Silberglitt, Chow, and Hollywood, 2015). Currently, the development of information technologies significantly expands the analytical capabilities of law enforcement agencies. It is important to limit their influence on the sphere of private interests and civil rights (Sereni-Massinger et al., 2015).

The law enforcement system in Ukraine under the conditions of Russian aggression must be effective in combating hybrid threats (activities of illegal armed groups; illegal trafficking of weapons, ammunition, explosives; emergence of new criminal schemes in the economic sphere; activities of criminal groups, etc.). In this aspect, law enforcement activities concerning organized crime should not focus on individual participants who should be punished for specific offenses, but rather on broader aspects of criminal behavior and the subculture of organized crime. Scientists Dintino and Marten (1983) noted that the intelligence analysis remains the only rational means of solving the problem of organized crime.

Currently, the multi-year cycle of policy on responding to serious crime and organized crime (Picarelli,, 2011), developed by the EU in 2010, is exemplary in its consistent and systematic elimination of the most significant criminal threats through effective cooperation among the relevant agencies of the member countries, institutions, and EU bodies.

This approach was approved by the EU Council in December 2010 (Europol, 2017). The specified EU policy cycle started with the creation of the Serious and Organized Crime Threat Assessment (SOCTA), in which Europol generates analytical findings that are transformed into political priorities, strategic goals, and operational action plans for the EU. It is important to note the link between the SOCTA findings and the identification of goals and plans (Europol, 2021).

The SOCTA methodology will be an adequate response to organized crime, determining the priority areas of law enforcement activities. This will allow the state and its law enforcement agencies to take the highest position in solving the problem of organized crime, more likely to ensure the appropriate level of security in society and increase public trust (Svyrydiuk & Korystin, 2022).

The main basic tasks of law enforcement agencies are the protection of constitutional order, state sovereignty and territorial integrity of the state, combating crime, protection of the rights, freedoms and legitimate interests of citizens, society and the state as a whole. A.P. Zahorulko (2018) suggests new important challenges in countering hybrid threats:

- 1. Ensuring the internal security of the state by strengthening the effectiveness of the fight against the interference of the special services of the aggressor country in the internal affairs of Ukraine.
- 2. Achieving unwavering positions in protecting national interests in the information and cyber space, constant monitoring of the situation, effective prevention of conflict situations in interethnic, inter-confessional, inter-regional,



and other areas of national and social relations, and promoting their stabilization.

3. Protection of national interests of the state at the international level by diplomatic, political, economic, energy, judicial and other methods.

Over the past five years, the Ukrainian law enforcement system has gradually approached European standards thanks to international cooperation. Thanks to the support of the European Union, Ukraine has significantly brought the work of the law enforcement system closer to advanced European and international

models. The country greatly benefited from the assistance provided by the "PRAVO-Police" program, which was implemented by UNOPS in close cooperation with the EU Advisory Mission in Ukraine from 2017 to 2022. The Program's budget provided Ukrainian law enforcement agencies with expert consulting support, training events on a number of issues, forensic equipment, personal protective equipment, professional computing equipment, and software. The Ukrainian law enforcement system has become more stable, better equipped, more oriented to the needs of citizens (Akopian, 2022).

**Table 1.**Possibilities of transformation of the law enforcement system in Ukraine in the conditions of Russian aggression

№	Type of issue	The essence of issue	Possible measures to solve the issue	Status of measures implementation
1	Direct threats due to russian aggression	The need for a large number of law enforcement officers to ensure the security of the state	- restriction of the rights and freedoms of citizens by introducing a martial law regime; - limiting the influence of law enforcement agencies on the sphere of private interests and civil rights of citizens.	Implemented
2	Hybrid threats	Organized crime Economic crimes	<ul> <li>use of the SOCTA</li> <li>methodology;</li> <li>international cooperation in the fight against organized crime.</li> </ul>	Implemented
		Corruption, money laundering	<ul> <li>creation of the Anti-corruption body;</li> <li>development of a general code of conduct for law enforcement officers;</li> <li>increasing the responsibility of law enforcement officers for committing such crimes.</li> </ul>	Implemented
3	Internal threats	Inefficient use of human resources in the sphere of law enforcement activities	<ul> <li>use of big data, modern</li> <li>technologies and artificial</li> <li>intelligence in the field of law</li> <li>enforcement activities;</li> <li>personnel distribution and</li> <li>planning of the work schedule of</li> <li>employees.</li> </ul>	Not implemented
		Low level of trust in law enforcement officials	<ul> <li>cooperation of law enforcement agencies with public organizations and citizens;</li> <li>the opportunity for citizens to participate in decision-making in the field of law enforcement.</li> </ul>	In the implementation phase

(developed by the authors)

Thus, the law enforcement system in Ukraine is undergoing changes, in accordance with modern conditions and existing threats caused by russian aggression, hybrid threats and issues of an internal nature. This transformation brings Ukraine's law enforcement system closer to



European standards and helps reduce the negative impact of Russian aggression. As a result of reforming the law enforcement system, it is possible to increase the level of security of the state, civil society institutions, and citizens.

#### Conclusion

The russian aggression that began in 2014 and escalated to a full-scale conflict in 2022 is a direct threat to the security and territorial integrity of the Ukrainian state. This necessitates the need for the transformation of Ukraine's law enforcement system in accordance with modern realities. The purpose of the article is to identify effective means of transforming the law enforcement system of Ukraine in the context of russian aggression.

It is determined that the concept of "law enforcement system" is broader than the concept of "law enforcement agencies" and includes the following elements: law enforcement ideology, law enforcement policy, law enforcement institutions, legal norms and legislation, law enforcement relations, and legal practice.

The threats to the modern Ukrainian law enforcement system include:

- Direct threats (directly related to russian aggression);
- Hybrid threats (organized crime, economic crimes);
- Internal threats (corruption and money laundering among law enforcement officers, insufficient level of trust in law enforcement officers).

The result of the transformation of the law enforcement system of Ukraine is the creation of the National Police, anti-corruption bodies, changes in the judicial system, implementation of the SOCTA methodology to combat organized crime, implementation of the "PRAVO-Police" program to increase the effectiveness of police work.

The current issues in the law enforcement system include the need to increase the effectiveness of personnel policies, increase trust in law enforcement officers and address the use of outdated methods in the law enforcement system. To address these issues, it would be advisable to implement the following measures: the interaction of law enforcement agencies with civil society organizations, the introduction of modern technologies, the use of artificial

intelligence and big data in the law enforcement field.

Implementation of these measures will allow to increase the effectiveness of the law enforcement system and ensure the necessary level of security for the state, citizens and civil society institutions.

## **Bibliographic references**

- Ahl, A. (2019). United Nations issues human rights guidance for law enforcement. Lawfare. Retrieved from https://www.lawfareblog.com/united-nations-issues-human-rights-guidance-lawenforcement
- Akopian, M. (2022). The EU is one of Ukraine's key allies in the matter of asserting the principle of the rule of law. Euam Ukraine. (In Ukrainian). Retrieved from https://acortar.link/IspHuA
- Ben, B. (2014). Policing and Social Identity: Procedural Justice, Inclusion and Cooperation between Police and Public. Policing and Society, 24(1), 22-43. Retrieved from https://doi.org/10.1080/10439463.2012.724068
- Bratel, S.H. (2015). Law enforcement functions. Law and society, 4, 63–66. (In Ukrainian).
- Bratko, A.H. (2004). Law enforcement system. Questions of theory. Spartak, 208 p. (In Russian).
- Buhanova, M.A. (2002). Law enforcement system of the subject of the Russian Federation: dissertation. ... candidate law of science Moscow. Moscow Academy, 202 p. (In Russian).
- Cezik, M.T., & L'Ecuyer, P. (2008). Staffing multiskill call centers via linear programming and simulation, Management Science, 54(2), 310-323.
- Chase J., Du, J., Fu, N., Le, T.V., & Lau, H.C. (2017). Law enforcement resource optimization with response time guarantees. 2017 IEEE Symposium Series on Computational Intelligence SSCI: Honolulu, November 27 December 1: Proceedings. Research Collection School Of Information Systems. Retrieved from https://ink.library.smu.edu.sg/sis\_research/453
- Chumak, V. (2015). European experience of reforming police bodies (on the example of the Republic of Estonia). Bulletin of the Luhansk State University of Internal Affairs named after E.O. Didorenko, 4, 153-158. (In Ukrainian).
- Council of the European Union (2010). Council of the European Union 15358/10. [File PDF]. Retrieved from https://data.consilium.europa.eu/doc/document /ST-15358-2010-INIT/en/pdf
- Decree № 231/2021. On the Strategy for the Development of the Justice System and Constitutional Judiciary for 2021–2023, dated



- June 11, 2021 (In Ukrainian). Retrieved from https://zakon.rada.gov.ua/laws/show/231/2021 #Text
- Dintino, J., & Frederick, T-M. (1983). Police Intelligence Systems in Crime Control. Springfield, IL.
- Dudchenko, O. (2019a). The essence of the law enforcement system. Entrepreneurship, economy and law, 8, 144-149. (In Ukrainian).
- Dudchenko, O. (2019b). Definition of the essence and structure of the law enforcement system. Law and Life. 9/2(333), 43-46. ISSN 2587-4365.
- Europol. (2011). Serious and Organized Crime Threat Assessment 2017. Retrieved from https://www.europol.europa.eu/sites/default/fil es/documents/socta2017 0.pdf
- Europol. (2021). Serious and Organised Crime Threat Assessment (SOCTA). Retrieved from https://www.europol.europa.eu/publicationsevents/main-reports/socta-report
- Graycar, A. (2019). International Cooperation to Combat Money Laundering. International and Transnational Crime and Justice. Cambridge University Press, 299-304. Retrieved from https://doi.org/10.1017/9781108597296.050
- Greene, J. (1998). Evaluating Planned Change Strategies in Modern Law Enforcement: Implementing Community-Based Policing. Brodeur J. P, 146 p.
- Hurkovskyi, M.P., & Yesimov, S.S. (2018). Content and methodology of working with the personnel reserve in the system of the Ministry of Internal Affairs of Ukraine. Scientific Bulletin of the Lviv State University of Internal Affairs. Legal series, 1, 134-145. (In Ukrainian).
- Ivanets, M. (2018). Corruption as a negative factor in the activity of law enforcement agencies. Actual problems of jurisprudence, 3(15), 59-63. (In Ukrainian).
- Kovalchuk, T.I., Korystin, O.Y., & Sviridyuk, N.P. (2019). Hybrid threats in the civil security sector in Ukraine, Legality issues, 147, 163-175. (In Ukrainian). DOI: 10.21564/2414-990x.147.180550
- Kovaliv, M.V. (2021). Interaction between the police and civil society institutions. Social and legal studies, 2(12), 79-85. (In Ukrainian).
- Kubaienko, A.V. (2022). Modern approaches to the modernization of the law enforcement system in the conditions of digital transformation.
  Scientific Bulletin of the International Humanitarian University. Ser.: Jurisprudence, 56, 122-126. (In Ukrainian). Retrieved from https://vestnik
  - pravo.mgu.od.ua/archive/juspradenc56/juspradenc56.pdf#page=122
- Kuchuk, A. (2005). Law enforcement activity: the state of scientific development of the problem. Economy, entrepreneurship and law, 72, 68-72. (In Ukrainian).

- Kulish, A.M. (2009). Law enforcement system of Ukraine: administrative and legal principles of organization and functioning: autoref. (thesis doctor of law Sciences) Kharkiv National University of Internal Affairs, Kharkiv, 31 p. (In Ukrainian).
- Lorraine, M., Bennett, S., Davis, J., Sargeant E., & Manning, M. (2013). Legitimacy in Policing: A Systematic Review. Campbell Systematic Reviews, 9(1), 1-147. Retrieved from https://doi.org/10.4073/csr.2013.1.
- Maiorov, V.V. (2020). Ways of improving the administrative and legal regulation of police interaction with the population on the basis of partnership. Law and society, 2(2), 185-191. (In Ukrainian). DOI https://doi.org/10.32842/2078-3736/2020.2-2.28
- Mishchenko, D. A., Bilozubenko, V. S.,
  Brus, T. M., & Krushelnytska, T. A. (2019).
  Challenges and prospects for the development of the system of public andmunicipal administration. Lviv-Toruń: Liha-Press, 96 p.
- Motuzna, A.V., & Reznik, O.M. (2022). Ways to optimize the cooperation of law enforcement agencies with the aim of countering the legalization of criminal proceeds. Legal Scientific Electronic Journal, 7, 259-262. (In Ukrainian). Retrieved from https://doi.org/10.32782/2524-0374/2022-7/60
- Nakonechna, I. (2019). Interaction of law enforcement bodies (subunits) with state authorities, local self-government bodies, public organizations and legal entities during verification of statements and reports regarding violations of anti-corruption legislation. Entrepreneurship, economy and law, 4, 130–135. (In Ukrainian).
- Nikolenko, O.V. (2013). Corruption in law enforcement agencies as a component of organized crime. Scientific Bulletin of Kherson State University, 5(2), 91-93. (In Ukrainian). Retrieved from http://www.lj.kherson.ua/pravo05/part\_2/26.pd f
- Picarelli, J.T. (2011). The evolving challenge of transnational organized crime. Trends in Crime and Justice, 25-54. Retrieved from https://nij.ojp.gov/topics/articles/evolution-transnational-organized-crime
- Pluhatar, T.A. (2014). Definition of the essence and content of the concept of "law enforcement system". Science and law enforcement, 2(24), 21-28. (In Ukrainian).
- Rizvi, G. (2005). Reinventing Government: Putting democracy and social justice back into discourse / Discussion Paper for 6th Global Forum on Reinventing Government Towards Participatory and Transparent Governance, 24-27 May 2005, Seoul (Republic of Korea), 38 p.
- Rodríguez Fonseca, R., Garcés Castillo, W., Vargas Batis, B., & González Amita, R. (2021). Aporte de la vegetación existente en



- agroecosistemas suburbanos de Santiago de Cuba a la alimentación. Revista Científica Del Amazonas, 4(7), 13-28. https://doi.org/10.34069/RA/2021.7.02
- Rover, C., & Bienert, A. (2017). To serve and to protect: human rights and humanitarian law for police and security forces. Geneva, Switzerland: International Committee of the Red Cross.
- Sereni-Massinger, C., Bawden, J., & Rowe, W. (2015). Policy point counterpoint: mandating law enforcement to receive annual certification in cultural diversity through critical thinking. International Social Science Review, 91(2), 1-7.
- Silberglitt, R., Chow, B.G., & Hollywood, J.S. (2015). Future law enforcement scenarios. Visions of law enforcement technology in the period 2024-2034:report of the law enforcement futuring workshop. Santa Monica, CA: RAND Corporation, 21-34.
- Skakun, O.F. (2001). Theory of the state and law: textbook. Kharkiv: Consum, 656 p. (In Ukrainian).
- Sokolenko, O.L. (2013). The concept and structure of the law enforcement system. Actual problems of domestic jurisprudence, 4, 91–96. (In Ukrainian).
- Steblianko, A. V., Chernadchuk, T. O., Kravchenko, I. O., Andriichenko, N. S., & Rudanetska, O. S. (2020). International Law Enforcement Cooperation against Money Laundering. Cuestiones Políticas, 65, 2017–229.
- Strom, K. (2016). Research on the Impact of Technology on Policing Strategy in the 21st Century, 7. RTI International Police Executive Research Forum RTI International. [File PDF]. Retrieved from https://www.ncjrs.gov/pdffiles1/nij/grants/251 140.pdf
- Svyrydiuk, N.P., & Korystin, O.Ie. (2022).

  Regarding the implementation of the Europol SOCTA methodology in Ukraine. The relevance and peculiarities of scientific research in the conditions of martial law: a collection of

- theses of the International Scientific and Practical Internet Conference on the occasion of the Science Day 2022 in Ukraine (Kyiv, May 24, 2022). Kyiv: DNDI of the Ministry of Internal Affairs of Ukraine, 125-128. (In Ukrainian).
- Tsimbal, V.N. (2015). Some issues of using information technologies by police officers. Society and Law, 1(51), 233-237. (In Russian)
- Wanhua, L., Quan, L., & Ying J. (2018). Research and application of data cage of traffic administrative law enforcement based on big data technology. Transportation Research, 19(01), 10-17.
- William, W. (2007). Type of Contact and Evaluations of Police Officers: The Effects of Procedural Justice across Three Types of Police-Citizen Contacts. Journal of Criminal Justice, 35(3), 612-21. Retrieved from https://doi.org/10.1016/j.jcrimjus.2007.09.006.
- Wilson, J.M., & Weiss, A. (2012). A performancebased approach to police staffing and allocation, US Department of Justice Office of Community Oriented Policing Services.
- Zahorulko, A.P. (2018). Improving state management of law enforcement agencies as a factor in increasing their efficiency in the conditions of hybrid warfare. Bulletin of the national university of civil defense of Ukraine, 2(9). Retrieved from http://repositsc.nuczu.edu.ua/bitstream/123456 789/7741/1/ilovepdf\_com-14-23.pdf
- Zahumenna, Yu.O. (2020). Law enforcement agencies: principles, features, functions, peculiarities of activity. Law and security, 35, 145-150. (In Ukrainian).
- Zavalnyi, M. (2018). The essence and tasks of the interaction of the National Police with the bodies of executive power and local selfgovernment bodies to ensure public safety and order. Scientific bulletin of public and private law, 3(1), 146–150. (In Ukrainian).
- Zhdanov, Yu.N. (2019). Patrol goes online. Rossiyskaya Gazeta. Retrieved from https://rg.ru/2019/11/07/chem-budet-otlichatsia-policiia-budushchego.html