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THE STATE OF SCIENTIFIC RESEARCH ON ISSUES RELATED TO THE ACTIVITIES OF THE STATE MIGRATION SERVICE OF UKRAINE AS AN ENTITY FOR THE PREVENTION OF CRIMINAL OFFENCES

A comprehensive analysis of the state of scientific research on issues related to the activities of the State Migration Service of Ukraine as an entity for the prevention of criminal offences has been carried out. Administrative, legal, criminological, socio-legal, institutional and international legal approaches to the study of the activities of the State Migration Service of Ukraine have been summarised.

The main directions of scientific research, their strengths and weaknesses, in particular the lack of a comprehensive theoretical and methodological concept of the preventive (criminological) activities of the service, have been identified. The need for further comprehensive research on the role of the State Migration Service of Ukraine in the system of prevention of criminal offences in the field of migration (migration-related crime) is substantiated.

Keywords: *State Migration Service of Ukraine, prevention of criminal offences, migration policy, criminological security, illegal migration, cross-border (transnational) crime, national security, state security.*

Statement of the problem. Research into the activities of the State Migration Service (SMS) of Ukraine as an entity involved in the prevention of criminal offences is an important aspect of the development of domestic criminological science. In the current environment, migration processes play a significant role in shaping the socio-economic and legal policies of the state. Illegal migration, the growing number of foreigners committing criminal offences, and the risks associated with cross-border (transnational) crime necessitate effective state regulation in the field of migration, as well as the development of effective measures to prevent criminal offences in this area. Accordingly, the State Migration Service of Ukraine performs an important function in the national security system, ensuring compliance with legislation on the stay of foreigners in Ukraine, checking documents, and coordinating measures to prevent illegal migration.

The importance of the State Migration Service of Ukraine in the context of preventing criminal offences necessitates a scientific understanding of its activities. An analysis of the legal status, functions, and mechanisms of interaction between the SMSU and other state bodies makes it possible to assess its effectiveness in the field of migration control and countering criminal threats. Contemporary legal literature offers a wide range

of scientific approaches to studying the activities of the State Migration Service of Ukraine, reflecting its role in the system of public administration, interaction with other law enforcement agencies, and the specifics of international cooperation in the field of migration. The study of these approaches is important not only for expanding theoretical knowledge, but also for improving the legal regulation of the activities of the State Migration Service of Ukraine in the field of crime prevention.

Analysis of recent research and publications.

The issue of the activities of the State Migration Service of Ukraine as an entity involved in the prevention of criminal offences occupies a prominent place in domestic scientific research, primarily in the context of administrative, legal, criminological and security issues. Scientific interest in this topic is driven by the growth of migration processes, the spread of illegal migration, the intensification of transnational crime, and the need to ensure national, state and public security in the face of modern challenges.

The administrative and legal foundations of the activities of the State Migration Service of Ukraine have been thoroughly researched by O. O. Voronyatnikov, M. O. Yefremova, S. M. Kremenchutsky, S. G. Kryvchuk-Novak, A. V. Maksimenko, O. P. Sikorsky, V. M. Snigur and others. The works of these authors reveal the

legal status of the State Migration Service of Ukraine, its place in the system of executive authorities, its powers in the field of migration control, as well as problems of regulatory and legal support for the implementation of the state's migration policy. At the same time, scholars emphasise the fragmentary nature of legal regulation and the need to improve mechanisms for coordinating the activities of the State Migration Service of Ukraine with other entities in this sphere of public relations.

The criminological aspect of the activities of the State Migration Service of Ukraine as an entity involved in the prevention of criminal offences is highlighted in the publications of I. K. Vasilenko, V. M. Golub, S. G. Kuzmenko, R. A. Martyanova, A. P. Mozol, S. A. Ryzhkova and others. The authors consider the State Migration Service of Ukraine to be an important element of the system for preventing offences (in particular criminal offences) related to illegal migration, the use of forged documents, human trafficking and other forms of cross-border crime. At the same time, the authors point to the limited resources of the service, imperfect information exchange and insufficient interagency cooperation.

A separate body of scientific works provides comparative legal and international legal analyses of the activities of migration services. The studies by D. M. Balanyuk, I. O. Zarovna, D. V. Pimakhova, E. V. Strilchenko, T. Yu. Tsurkan and other scholars analyse the experience of European Union (EU) countries in the field of migration control, emphasising the advisability of implementing European standards, digitising migration procedures and developing international cooperation. At the same time, it is noted that these processes are still in their infancy in Ukraine and require further scientific and regulatory support.

The socio-legal and institutional aspects of the activities of the State Migration Service of Ukraine are discussed in articles by I. S. Burlaka, K. O. Yemelianova, Yu. V. Yermakov, T. A. Kobzeva and the monograph by A. F. Moty, which focus on issues of interaction between the service and other state authorities, the protection of migrants' rights, and the improvement of organisational mechanisms for the implementation of migration policy.

At the same time, an analysis of scientific sources shows that most studies are sectoral or fragmentary in nature and do not provide a comprehensive picture of the activities of the State Migration Service of Ukraine as an entity involved

in the prevention of criminal offences. Issues related to the systematic assessment of the effectiveness of the preventive (preventive) activities of the State Migration Service of Ukraine, the integration of its functions into the national system of criminological security, and the use of modern analytical and digital tools in the prevention of criminal offences in the field of migration (migration-related crime) remain insufficiently developed.

The purpose of the article is to analyse the state of scientific research on issues related to the activities of the State Migration Service of Ukraine as an entity for the prevention of criminal offences.

Summary of the main material. Scientific literature offers various conceptual approaches to analysing the activities of the State Migration Service of Ukraine. One of the leading approaches is the institutional approach, which considers the SMS as a component of the system of state administration in the field of migration. Within this approach, particular attention is paid to the legislative basis for the functioning of the SMS of Ukraine, its administrative and legal status, and its place in the executive branch. In particular, the works of S. G. Kryvchuk-Novak [1] and O. P. Sikorsky [2] emphasise the need to bring the activities of the State Migration Service of Ukraine into line with international standards of migration control. In addition, it is noted that the regulatory framework governing the activities of the State Migration Service of Ukraine remains insufficiently clear, which complicates its effective functioning and interaction with other state bodies.

The administrative and legal approach focuses on analysing the legal status of the State Migration Service of Ukraine and its powers. Research by V. M. Snigur [3] and S. M. Kremenchutsky [4] highlights issues with the regulatory and legal framework governing the service's activities, particularly in the context of combating illegal migration. It is noted that the State Migration Service of Ukraine performs a number of control and licensing functions related to the registration of foreigners, the issuance of residence permits, and the exercise of administrative control over compliance with migration legislation. At the same time, the scientific sources of these authors emphasise the need to improve the legal mechanisms of responsibility for violations of migration norms, as well as to strengthen the powers of the State Migration Service of Ukraine in the field of combating illegal migration.

The criminological approach studies the State Migration Service of Ukraine as an entity involved

in the prevention of criminal offences. Within the framework of this approach, issues are raised concerning the prevention of offences related to illegal border crossing, human trafficking, the use of forged documents, and the involvement of foreigners in criminal activities. The works of A. P. Mozol [5] and I. K. Vasilenko [6] highlight the role of the State Migration Service of Ukraine in detecting and preventing such offences, in particular through inspections, cooperation with law enforcement agencies and control over the legality of foreigners' stay in Ukraine. At the same time, it is noted that the effectiveness of these measures remains insufficiently high due to the limited resources of the State Migration Service of Ukraine, the lack of operational information, and imperfect coordination between the relevant structures.

The comparative legal approach aims to compare Ukrainian experience with the practices of other countries. The scientific works of T. Y. Tsurkan [7] and E. V. Strilchenko [8] analyse the functioning of EU migration services and propose ways to implement successful practices in the activities of the State Migration Service of Ukraine. It is noted that in EU countries, considerable attention is paid to the digitalisation of migration processes, in particular the introduction of electronic databases, automated systems for monitoring the movement of persons, and biometric technologies. However, in Ukraine, these mechanisms are only beginning to develop, which limits the effectiveness of the SMS in the field of crime prevention.

Despite the significant volume of scientific publications, a number of issues remain insufficiently developed. For example, studies of the administrative and legal status of the State Migration Service of Ukraine hardly address the issues of the effectiveness of the service's interaction with other law enforcement agencies. There is also a lack of a comprehensive approach to assessing the effectiveness of measures taken by the State Migration Service of Ukraine in the field of crime prevention. In addition, contemporary studies only superficially outline the possibilities for the implementation of intelligent systems for monitoring and analysing migration flows.

Thus, an analysis of scientific approaches to studying the activities of the State Migration Service of Ukraine makes it possible to identify the strengths and weaknesses of existing studies, determine the main gaps and propose new directions for scientific research. A comprehensive combination of administrative, legal,

criminological and comparative legal approaches contributes to a more objective understanding of the role of the State Migration Service of Ukraine in the system of crime prevention and creates the conditions for further improvement of its activities.

The study of the activities of the State Migration Service of Ukraine as an entity involved in the prevention of criminal offences is based on various scientific concepts and theoretical approaches that reflect the multidimensional nature of this field. Since the activities of the SMS are related to the regulation of migration processes, the prevention of illegal migration, the control of compliance with migration legislation and the countering of criminal threats, its analysis requires an interdisciplinary approach. Legal scholars, sociologists, criminologists and public administration experts propose various models for studying the activities of the State Migration Service, which include administrative, legal, criminological, socio-legal, institutional, security and international legal aspects.

Thus, *the administrative legal concept* considers the State Migration Service of Ukraine as an executive body that implements state policy in the field of migration and citizenship. The works of V. M. Snigur [3] and E. M. Yefremova [9] examine the legal status of the State Migration Service of Ukraine in the system of state administration bodies and identify the main regulatory and legal acts governing its activities. At the same time, the publications of O. O. Voronyatnikov [10] highlight the problem of the lack of uniform legislative regulation, which complicates coordination between the State Migration Service of Ukraine and other law enforcement agencies. The article by A. V. Maksymenko [11] focuses on the mechanisms of administrative control used in the activities of the State Migration Service of Ukraine and emphasizes the need for their further improvement.

For its part, *the criminological concept* of analysing the activities of the State Migration Service of Ukraine is based on studying its role in preventing criminal offences related to migration. In particular, studies by A. P. Mozol [5] and I. K. Vasilenko [6] show that one of the main challenges for the State Migration Service of Ukraine is to detect and prevent illegal migration, which often becomes a component of international crime. In her article [12], researcher R. A. Martyanova draws attention to the interaction between the State Migration Service of Ukraine, the Security Service of Ukraine and the National Police in the context of preventing illegal

migration. Researchers V. M. Golub [13] and S. G. Kuzmenko [14] raise the issue of coordination between state bodies that control migration flows and emphasise the need to improve information exchange between the relevant entities.

Instead, *the socio-legal concept* of the activities of the State Migration Service of Ukraine is being studied by researchers T. A. Kobzeva and K. O. Emelyanova [15], who emphasise the need for a comprehensive approach to the integration of migrants, taking into account their rights and social protection. At the same time, the study by S. A. Ryzhkova [16] highlights the issue of interaction between the State Migration Service of Ukraine and social services, especially in the context of protecting the rights of asylum seekers. The researcher points to the imperfection of the mechanisms for implementing state migration policy, which leads to the social isolation of migrants. Also noteworthy is the work of M. O. Yefremova [17], which analyses the issue of respect for the rights of migrants in Ukraine and emphasises the role of the State Migration Service in ensuring their legal status.

The institutional concept considers the State Migration Service of Ukraine as an element of public administration. The monograph by A. F. Moty [18] examines the structure of the SMS of Ukraine, its place in the system of public authorities and the peculiarities of its interaction with other state institutions. The author emphasises the imperfection of coordination mechanisms between the SMS of Ukraine and the State Border Service of Ukraine, which complicates the effective regulation of migration processes. An important aspect of this approach is the study of the potential for digitalisation of the State Migration Service of Ukraine, which is considered in the work of Y. V. Yermakov [19]. The scientific research of I. O. Zarovna [20] also emphasises the importance of introducing information technologies into the work of the State Migration Service of Ukraine to improve control over migration flows.

No less important in theoretical and practical terms is *the security concept*, which analyses the activities of the State Migration Service of Ukraine through the prism of national security. In this context, V. M. Golub [13] emphasises the importance of cooperation between the State Migration Service of Ukraine and law enforcement agencies to prevent threats to national security related to cross-border crime. Based on international experience, D. V. Pimakhova [21]

compares the mechanisms of the migration services of Ukraine and EU countries, emphasising that Ukraine has insufficiently implemented systems for monitoring and analysing migration risks. In this context, the study by I. S. Burlaka [22] points to the need to improve coordination between the State Migration Service of Ukraine and other law enforcement agencies in order to combat illegal migration more effectively.

The international legal concept is explored in scientific studies by T. Yu. Tsurkan [7] and E. V. Strilchenko [8], who analyse the compliance of the activities of the State Migration Service of Ukraine with international standards of migration control. In her article, I. O. Zarovna [20] examines the forms and methods of cooperation between the State Migration Service of Ukraine and international organisations such as Frontex and Europol, noting that the current legislation of Ukraine needs further harmonisation with European standards. In this regard, D. M. Balanyuk [23] focuses on Ukraine's international agreements on migration, in particular on the process of implementing European standards.

In view of the above, the application of various concepts and theoretical approaches to the analysis of the activities of the State Migration Service of Ukraine provides a comprehensive understanding of its role in the prevention of criminal offences. The combination of administrative, legal, criminological, socio-legal, institutional, security and international legal aspects contributes to the development of more effective strategies for state regulation of migration processes and the improvement of the activities of the State Migration Service of Ukraine in the field of law enforcement.

The analysis of the main concepts and theoretical approaches to the study of the activities of the State Migration Service of Ukraine has made it possible to reveal the multidimensional nature of this issue. The use of administrative, legal, criminological, socio-legal, institutional, security and international legal aspects contributes to the formation of a holistic view of the role of the State Migration Service of Ukraine as an entity involved in the prevention of criminal offences.

Conclusions

Therefore, based on the results of the analysis of the state of research in science on issues related to the activities of the State Migration Service of Ukraine as an entity involved in the prevention of criminal offences, the following conclusions can be drawn.

1. Domestic scientific literature contains a significant body of research focused on the administrative, legal, criminological, socio-legal, institutional and international legal aspects of the activities of the State Migration Service of Ukraine. This indicates a sustained scientific interest in the issues of migration policy and the role of the State Migration Service of Ukraine in ensuring national, state and public security.

2. Administrative and legal studies focus mainly on determining the legal status, competence and place of the State Migration Service of Ukraine in the system of executive authorities, while not always taking into account the specifics of its preventive (criminological) activities in the field of crime prevention.

3. Criminological works consider the State Migration Service of Ukraine as an important element of the crime prevention system, in particular migration-related crime, but mostly focus on specific types of offences (illegal migration, use of forged documents, human trafficking), without forming a comprehensive vision of the preventive potential of the service.

4. Comparative legal and international legal studies justify the implementation of European standards and best foreign practices in the activities of the State Migration Service of Ukraine, but the issues of their adaptation to national conditions and integration into the national system of crime prevention remain insufficiently developed.

In general, it has been established that the existing scientific approaches are fragmentary and do not form a comprehensive theoretical and methodological concept of the activities of the State Migration Service of Ukraine as an entity for the prevention of criminal offences, which highlights the need for further comprehensive criminological research in this area.

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**СТАН ДОСЛІДЖЕННЯ У НАУЦІ ПРОБЛЕМ, ЩО СТОСУЮТЬСЯ ЗМІСТУ ДІЯЛЬНОСТІ
ДЕРЖАВНОЇ МІГРАЦІЙНОЇ СЛУЖБИ УКРАЇНИ ЯК СУБ'ЄКТА ЗАПОБІГАННЯ
КРИМІНАЛЬНИМ ПРАВОПОРУШЕННЯМ**

Здійснено комплексний аналіз стану наукових досліджень проблем, що стосуються змісту діяльності Державної міграційної служби України як суб'єкта запобігання кримінальним правопорушенням. Актуальність теми зумовлена зростанням міграційних процесів, поширенням нелегальної міграції, активізацією транснаціональної злочинності та необхідністю посилення кримінологічної й державної безпеки України в умовах сучасних викликів. Обґрунтовано, що ефективне запобігання міграційно зумовленій злочинності неможливе без чіткого визначення ролі та функціонального призначення Державної міграційної служби України у загальнодержавній системі запобігання кримінальним правопорушенням.

Узагальнено адміністративно-правові, кримінологічні, соціально-правові, інституційні та міжнародно-правові підходи до дослідження діяльності Державної міграційної служби України, подані у працях вітчизняних науковців. Проаналізовано наукові позиції щодо правового статусу, повноважень, організаційних засад функціонування та міжвідомчої взаємодії Державної міграційної служби України з правоохоронними органами й іншими суб'єктами забезпечення кримінологічної безпеки. Установлено, що більшість досліджень зосереджується на окремих аспектах діяльності служби або на протидії конкретним видам міграційних правопорушень, не формуючи цілісного бачення її профілактичного (кримінологічного) потенціалу.

Особливу увагу приділено виявленню прогалин у науковому забезпеченні діяльності Державної міграційної служби України як суб'єкта запобігання кримінальним правопорушенням, зокрема браку комплексної теоретико-методологічної концепції, недостатньому опрацюванню питань оцінювання ефективності профілактичних (запобіжних) заходів і використання сучасних інформаційно-аналітичних інструментів. Висновлено, що подальший розвиток наукових досліджень у цій сфері має бути спрямований на формування системного підходу до визначення змісту та механізмів реалізації запобіжної функції Державної міграційної служби України як важливого елемента забезпечення кримінологічної та державної безпеки.

Ключові слова: *Державна міграційна служба України, запобігання кримінальним правопорушенням, міграційна політика, кримінологічна безпека, нелегальна міграція, транскордонна (транснаціональна) злочинність, національна безпека, державна безпека.*

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