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INTERNATIONAL PRINCIPLES (ON THE EXAMPLE OF THE UN AND INTERPOL) OF THE ACTIVITIES OF SECURITY SECTOR COMPONENTS REGARDING THE PREVENTION AND COUNTERACTION OF TRANSNATIONAL CRIMINAL OFFENSES

The role of the United Nations and Interpol in the system of countering transnational crime in the conditions of modern globalization is considered. The key significance of the UN Convention against Transnational Organized Crime as a basic instrument for establishing legal criteria for international offenses is determined. The structure and functional features of the activities of Interpol's National Central Bureaus, which provide operational communication between national law enforcement agencies and the General Secretariat, are analyzed. Attention is emphasized on Interpol's criminal registration system, in particular on the detailing of the main file cabinets of the General Secretariat and the classification of types of international search. The basic principles of international police cooperation are emphasized, among which the priority is adherence to national sovereignty and the apolitical nature of the organization. The transformation of Ukraine's interaction with Interpol in the conditions of full-scale aggression by the Russian Federation, which led to the intensification of information exchange and active use of the "iArms" database, is investigated. The strategic importance of Interpol's tools for the search of persons involved in war crimes, and the higher efficiency of interaction between states with shared democratic values, are highlighted.

Keywords: *Interpol, National Central Bureau, UN Convention against Transnational Organized Crime, international search, prevention, counteraction, security sector.*

Statement of the problem. Today, the globalization of crime, which accompanies economic globalization, is a generally recognized fact. The merging of national economies into a single global system is determined by market, rather than state, measures. This process emerges as a qualitatively new phenomenon – a holistic international system that objectively requires coordinated political mechanisms to approach the highest international standards. The relevance of this study is due to the globalization of crime, which develops in parallel with the integration of economies and dictates the need to consolidate efforts at the political and law enforcement levels.

The transnational nature of modern criminal offenses, such as terrorism, cybercrime, drug trafficking, and illegal arms trafficking, poses a threat not only to individual states but also to international peace and security in general. Effective counteraction to organized criminal groups seeking super-profits by the forces of only one country is practically impossible, and therefore there is an urgent need to improve the coordination

of efforts through the mechanisms of the United Nations (UN) and the International Criminal Police Organization – Interpol. For Ukraine, the special significance of this issue is amplified by the conditions of the full-scale invasion of the Russian Federation, which led to an intensification of international information exchange, necessitated the monitoring of significant volumes of lost weapons, and the implementation of the latest capabilities for searching for persons involved in committing war crimes, genocide, and crimes against humanity.

Analysis of recent research and publications.

The problems of combating transnational crime have been of interest in the works of such scientists: O. M. Bandurka – investigated Interpol as an international criminal police organization [1]; V. L. Honcharuk and Yu. I. Tatarkina – revealed the legal aspects of combating organized crime in a transnational context [2]; S. Ye. Zhytniak, V. A. Nekrasov and V. B. Smelik – focused attention on using the capabilities of the Interpol NCB in Ukraine in combating criminal offenses [3];

V. V. Maliuk – highlighted the features of regulatory and legal support for the strategy of countering transnational organized criminal groups threatening the state security of Ukraine [4]; T. L. Syroid – studied problematic issues of international criminal legal counteraction to transnational crimes [5], etc.

The purpose of the article is to study the current state of prevention, detection, and investigation of transnational criminal offenses at the international level and in Ukraine.

Summary of the main material. In the specialized literature, it is rightly emphasized that globalization has stimulated the development of the "mafia world". The transnationalization of crime is particularly noticeable in its forms such as terrorism, arms trafficking, drug trafficking, corruption, money laundering, illegal migration, and human trafficking. According to the United Nations Convention against Transnational Organized Crime of 2000, a criminal offense is transnational in nature if it is:

- 1) committed in more than one State;
- 2) committed in one State but a substantial part of its preparation, planning, direction or control takes place in another State;
- 3) committed in one State but involves an organized criminal group that engages in criminal activities in more than one State;
- 4) committed in one State but has substantial effects in another State [6].

Confirmation of the aforementioned is the UN's concern about the serious danger to international peace and security still posed by transnational organized crime and terrorism, which undermine the peace of the civilian population, destroy the fabric of society, and threaten fundamental human rights. Another serious global problem (despite the fact that the growing availability of the Internet affects progress) has become cybercrime. The UN strives to protect the world from drugs and crime and focuses efforts on building a future free from terrorism. The activities of UN bodies and institutions assist governments in combating these threats by taking preventive and criminal justice measures, as well as encouraging international cooperation. They help establish and implement international standards and norms and ensure the fulfillment of obligations provided for by international agreements on combating drugs, corruption, transnational organized crime, and terrorism.

As Ghada Waly, Executive Director of the UN Office on Drugs and Crime, notes, organized crime, corruption, drug trafficking, and terrorism continue to evolve, intertwining with crises and undermining security and sustainable development. She emphasizes that it is necessary to work on a cross-border and cross-sectoral basis to counter urgent threats and prevent new challenges [7].

Transnational crime consists of the following main elements:

- 1) international crimes in the sphere of legal business – economic crime;
- 2) criminal business related to the circulation of prohibited goods and services;
- 3) crimes in the sphere of illegal business related to the circulation of goods and services with tax motivation;
- 4) criminal "trade", i.e., crimes against the person, their life, health, and inviolability.

The globalization of organized crime necessitated the consolidation of the law enforcement systems of many countries around the world. Back in 1950, the UN General Assembly described the fight against crime as one of the most important social problems and tasked the Organization with facilitating, coordinating, and encouraging international cooperation in this area. At the same time, special attention was focused on improving the legal and treaty-based coordination of efforts affecting the interests of several countries, as well as maintaining close contacts with other international law enforcement organizations, in particular:

- 1) the transfer of the functions of the International Penal and Penitentiary Commission to the UN;
- 2) the transfer of competence regarding the prevention of criminal offenses under the auspices of the UN Economic and Social Council (ECOSOC);
- 3) the initiation of regular congresses on the prevention of crime and the treatment of offenders (holding the first UN Congress on the Prevention of Crime in 1955);
- 4) the beginning of active development of unified measures for member states regarding crime prevention [8].

This period marked a transition from purely national efforts to a global, systemic fight against crime under the leadership of the UN. International police contacts should be considered as part of the process of broad international cooperation on social development problems, among which the

development of effective strategy and tactics for combating crime occupies one of the main places. The cooperation of law enforcement agencies of leading states develops in several main directions. These include:

- 1) providing legal assistance and executing punishments in criminal cases;
- 2) concluding and implementing treaties (agreements) on combating transnational criminal offenses;
- 3) regulating issues of criminal jurisdiction;
- 4) joint study of problems in combating offenses, exchange of experience in solving them;
- 5) providing logistical and advisory assistance;
- 6) mutual exchange of information.

More specific tasks for developing measures aimed at increasing the efficiency of the police of various countries around the world in preventing, detecting, and investigating transnational criminal offenses are solved by the International Criminal Police Organization – Interpol. As V. P. Kononenko and L. D. Tymchenko emphasize, since its creation in September 1923 at the International Police Congress in Vienna, it has gained immense authority as an organizational, methodological, coordination, and practical center for the international fight against crime. Currently, 196 states are members of Interpol, including Ukraine, which has been participating in its work since 1992. Each member state has within its law enforcement agencies a National Central Bureau (NCB), which provides interaction with the General Secretariat in Lyon [9].

It should be emphasized that Interpol cannot be considered as an organization focused exclusively on the needs of police apparatuses. Besides the police, other state bodies that carry out criminal prosecution functions cooperate with it. International cooperation within Interpol is based on the principles of:

- 1) observance of national sovereignty and the priority of national law;
- 2) universal character of cooperation;
- 3) limiting cooperation to cases falling under general law (cases of a political, military, religious, and racist nature are excluded).

The significance of Interpol in ensuring practical international police cooperation is very great. Today, it is a center for registering transnational criminal offenses and the persons who committed them, the main coordinator of the international search for criminals, and the most authoritative organization specializing in the

development of strategies, tactics, and methodological foundations for various areas of police activity. As S. V. Troitsky notes, for the most effective fight against transnational crime with the help of criminal registration, Interpol has developed a classification system for transnational criminals and their classification features (demographic data, features reflecting the external appearance of the object, characterizing skills, habits, demeanor, etc.). According to this system, all data recorded by Interpol are divided into general and special registration. The object of general registration is information about transnational criminal offenses and criminals, and special – fingerprint records and photographs of offenders.

The Interpol General Secretariat maintains 5 file cabinets of objects of general registration.

1. Alphabetical file of all known persons who have committed transnational criminal offenses and are suspected of criminal activity.
2. File of verbal portraits of offenders.
3. File of missing persons and unidentified corpses.
4. File of documents ever used by known transnational criminals (passports, identity cards, driving licenses, firearms licenses, etc.), as well as names of companies that appeared in Interpol materials in connection with the commission of criminal offenses.
5. File of criminal offenses (theft, smuggling of motor vehicles, strategic raw materials, stolen cultural values, weapons, gold, precious stones; crimes against the person; fraud; crimes related to forgery; cases of counterfeiting; crimes related to illegal drug trafficking) and methods of their commission [10].

Interpol's registers are regularly updated with information coming from police apparatuses of many countries around the world. For its part, the General Secretariat proactively provides the National Central Bureaus of Interpol member countries with updated data from its own files. If a person registered with Interpol shows suspicious activity, a so-called "green" notice is distributed among NCBs with a request to keep such a person under police surveillance and inform the General Secretariat of their movements and all circumstances relating to possible illegal actions on their part.

As emphasized by S. Ye. Zhytniak, V. A. Nekrasov and V. B. Smelik [3], all information circulating in the Interpol system is

transmitted with the classification "For police use only". The procedure for its transmission through the channels of the General Secretariat and NCBs is regulated by the Rules on International Police Cooperation and on the Internal Control of Interpol's Archives, valid since February 1984 (as amended at the 59th session of the Interpol General Assembly in 1990). Article 4 of these Rules obliges the General Secretariat to take the necessary measures to ensure the secrecy and security of police information. In particular, it must amend or disclose it only at the request or in coordination with the NCB from which it was received. In turn, NCBs are obliged to take all necessary measures to ensure the reliability and relevance of the information sent to the General Secretariat. It must draw a clear distinction between facts, on the one hand, and conclusions and assessments, on the other. NCBs can also exchange information directly, bypassing the General Secretariat. At the same time, NCBs must comply with the norms of national legislation, international agreements, and the Interpol Constitution [3].

Interpol's participation in ensuring international police cooperation is also determined by the fact that it performs functions of coordinating the international search for criminals, i.e., search actions carried out outside the territory of the state where the criminal offense was committed. Interpol's participation in this case allows for searches on a large scale, as well as expediting the preparation of necessary documents in cases of extradition (surrender) of criminals to the country initiating the search.

Search actions carried out by Interpol, depending on their object, are classified into four types:

- 1) search for criminals for their arrest and extradition;
- 2) search for suspects and criminals to monitor their behavior;
- 3) search for missing persons;
- 4) search for stolen property.

Within the framework of international police cooperation, mixed searches are also practiced. In such cases, states with which the search-initiating country has extradition treaties are asked to search for the subsequent arrest and surrender of the criminal, and others are asked to establish surveillance over their movements and activities. Interpol's statistics are today probably the only authoritative source through which a comparative analysis of crime on a global scale can be

conducted. In this regard, it is also worth noting the technical assistance provided by Interpol to NCBs of interested member countries, in particular, by organizing training sessions, seminars, symposiums, and subsidized internships to improve the professional qualifications of police officers, as well as sending expert-consultants to NCBs and national police apparatuses.

Significant work is carried out by Interpol to generalize, study, and disseminate (among other things, through the publication of special bulletins) best practices in police activities. At the same time, not all states that are members of Interpol show the same activity in the fight against transnational crime. It is important to note that more than half of the member countries do not provide the General Secretariat with national statistical data on the state of offenses and the results of police work; only 40 countries update Interpol's files. Almost 50% of the operational information circulating in the Interpol system is received and sent by the police of Western European states. They also predominantly carry out arrests of international criminals. Interpol Secretary General Jürgen Stock stated: "We strongly welcome the G7's commitment to combat transnational organized crime, an international crisis that undermines the rule of law, communities, and businesses globally... We will only be able to confront transnational organized crime through a fully global network – therefore, it is vital that countries cooperate internationally in the fight against these threats through organizations such as the G7, but above all through Interpol's global policing systems" [11].

The process of Ukraine's integration into the global law enforcement architecture was officially launched on March 25, 1993, marked by the establishment of the National Central Bureau of Interpol. At the current stage, the performance of NCB functions within the structure of the National Police of Ukraine is entrusted to the Department of International Police Cooperation. Despite the conditions of full-scale armed aggression by the Russian Federation, domestic law enforcement agencies not only constantly interact with Interpol but also demonstrate an intensification of international cooperation, which contributes to the consolidation of Ukraine's subjectivity in the global security system. The Interpol NCB in Ukraine is a key relay and coordination center between the national law enforcement system and 196 UN member states. Priority vectors of its

activity are ensuring prompt interstate data exchange, initiating and supporting international search procedures, as well as implementing strategies to counter manifestations of terrorism and transnational organized crime.

According to statistical data for 2024, under martial law conditions, the intensity of information exchange with Interpol channels increased by 200%. The effectiveness of using the Organization's information resources is confirmed by the detention abroad of 215 persons based on requests from the Ukrainian side, while 46 persons wanted on the initiative of foreign law enforcement agencies were identified and detained on the territory of Ukraine. In the context of monitoring the effectiveness of using the international notices system, Ukraine demonstrates high indicators: the state ranks second in the world and first in the European region in the volume of publications of "Yellow Notices" aimed at locating missing persons. At the same time, in the field of international search for criminals ("Red Notices"), Ukraine occupies the 13th position in the global ranking and the 6th position at the European level.

Special attention in the activities of the Department of International Police Cooperation is paid to the control over the circulation of firearms. Information on 211.053 units of lost or stolen weapons has been entered into the international "iArms" database. It is important to state that the vast majority of these objects were lost as a result of the military actions of the Russian Federation, in particular due to the seizure of territories where the weapons were legally owned, or during direct combat clashes. In order to mitigate the threats of illegal cross-border diffusion of weapons, a negotiation process was initiated regarding the involvement of the latest technical equipment to modernize control systems.

The specialization of cooperation also covers the protection of children's rights and cultural heritage. Through the use of the ICSE (International Child Sexual Exploitation) database, 84 persons involved in the sexual exploitation of minors were identified. Within this jurisdiction, with the participation of the Ukrainian side, 13 new investigations were launched, and 41 criminal proceedings were transferred from foreign partners to the specialized units of the National Police of Ukraine. In the field of cultural property protection, data on 250 stolen works of art have been entered into the specialized "Works of Art" database.

Ukraine's active role is evident in the implementation of strategic international projects, in particular:

1) "Millennium" – focused on neutralizing the activities of transnational criminal groups and their hierarchical leaders;

2) "Geiger" – aimed at the prevention and disclosure of facts of illegal circulation of radioactive components;

3) "Artemis" – oriented towards analytical support for combating the deviant circulation of weapons on the European continent.

At the current stage, the Department of International Police Cooperation administers and moderates 3.533 user accounts of Interpol information systems. Access to these resources in Ukraine is provided not only for units of the National Police but also for the State Border Guard Service, the State Migration Service, the State Bureau of Investigation, the Economic Security Bureau, the National Anti-Corruption Bureau, the Security Service, and service centers of the Ministry of Internal Affairs of Ukraine.

The fundamental legal achievement of the latest period is recognized as the restoration of legal mechanisms for using Interpol's tools to search for persons suspected of committing war crimes. By a decision of December 2024, Ukraine and other member states were returned the right to use Interpol resources in the process of investigating crimes against humanity, genocide, and war criminal offenses. Consequently, the Interpol NCB in Ukraine has transformed into a highly effective subject of the global law enforcement community. Despite the extreme conditions of wartime, the Ukrainian police demonstrate the ability not only to promptly respond to challenges but also to actively influence the formation of the latest international standards for ensuring law and order and protecting national interests on the world stage.

Conclusions

It is important to note that the most intensive and effective cooperation in the fight against crime is with the police of highly developed countries that have similar economic, political, and social conditions, similar legal attitudes, and principles of law enforcement agencies. This situation is likely to continue in the future, as approaches to solving the problem of the globalization of crime, as well as the capabilities of police authorities in democratic and totalitarian, advanced and

economically backward states, will remain different.

Further scientific research on this topic should be focused on analyzing the practical implementation of updated Interpol mechanisms for the search and identification of persons involved in war crimes, genocide, and crimes against humanity. Separate scientific attention should be focused on developing strategies to minimize the risks of illegal circulation of weapons lost as a result of hostilities, through improving interaction with the international "iArms" database and introducing the latest technical means for analyzing and monitoring cross-border movements. In addition, the search for ways to overcome differences in law enforcement approaches between states with different political regimes remains relevant, since differences in democratic standards and legal principles continue to create obstacles to the absolute unification of the global fight against transnational crime.

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МІЖНАРОДНІ ЗАСАДИ (НА ПРИКЛАДІ ООН ТА ІНТЕРПОЛУ) ДІЯЛЬНОСТІ СКЛАДОВИХ СЕКТОРУ БЕЗПЕКИ ЩОДО ЗАПОБІГАННЯ ТА ПРОТИДІЇ ТРАНСНАЦІОНАЛЬНИМ КРИМІНАЛЬНИМ ПРАВОПОРУШЕННЯМ

Комплексно досліджено роль Організації Об'єднаних Націй та Міжнародної організації кримінальної поліції у сфері протидії транснаціональним кримінальним правопорушенням. Наголошено, що у XXI ст. на тлі глобалізації світова спільнота зіткнулася з посиленням транснаціонального характеру злочинності, що потребує інтегрованої правоохоронної відповіді. Ключовою основою цієї боротьби визначено Конвенцію ООН проти транснаціональної організованої злочинності від 15 листопада 2000 р., яка встановлює чіткі критерії транснаціонального злочину. Зокрема, правопорушення вважається транснаціональним, якщо воно вчинене у кількох державах, або якщо його підготовка чи наслідки виходять за межі однієї країни.

Деталізовано діяльність Інтерполу як найбільшої міжнародної поліцейської платформи, що об'єднує 196 країн. Розкрито структуру і функції Національних центральних бюро, які є сполучною ланкою між національними правоохоронцями та Генеральним секретаріатом у Ліоні. Увагу акцентовано на системі кримінальної реєстрації Інтерполу, яка поділяється на загальну (відомості про злочини та осіб) та спеціальну (дактилоскопія, фото). Докладно описано п'ять основних картотек Генерального секретаріату, що містять дані про відомих злочинців, словесні портрети, зниклих осіб, викрадені документи та конкретні види злочинів, як-от контрабанда зброї чи фальшивомонетництво.

Окрему увагу приділено механізмам міжнародного розшуку, який класифікується за чотирма видами: для арешту та екстрадиції, для спостереження за поведінкою, для розшуку безвісти зниклих та викраденого майна. Виділено принципи співробітництва, серед яких пріоритетними є принципи національного суверенітету та аполітичності.

У статті окреслено досвід України у взаємодії з Інтерполом, починаючи з 1992 р. В умовах повномасштабного вторгнення РФ діяльність Національного центрального бюро в Україні (Департаменту міжнародного поліцейського співробітництва) набула нових викликів: обмін інформацією зріс на 200 %. До міжнародної бази «iArms» внесено понад 211 тис. одиниць втраченої та викраденої зброї, переважна частина якої пов'язана з агресією РФ. Надзвичайно важливим досягненням названо відновлення у грудні 2024 р. можливості використовувати інструменти Інтерполу для розшуку осіб, причетних до воєнних злочинів, геноциду та злочинів проти людяності. Наголошено, що найефективніша співпраця спостерігається між державами зі схожими демократичними та правовими засадами.

Ключові слова: Інтерпол, Національне центральне бюро, Конвенція ООН проти транснаціональної організованої злочинності, міжнародний розшук.

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