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IMPLEMENTATION OF THE HUMANISTIC PRINCIPLE IN THE ACTIVITY OF THE NATIONAL POLICE OF UKRAINE

The article analyzes the implementation of the humanism principle in the activity of the National Police, taking into account current sociolegal challenges. An examination of the fundamental elements of the humanistic paradigm employed within law enforcement practices, accompanied by an in-depth exploration of its codification in legislation, is conducted in the present study. The analysis further delves into the challenges encountered in the operational implementation of the aforementioned approach, along with a meticulous assessment of potential avenues for enhancement. The discussion focused on the importance of international standards in protecting human rights, the necessity of reforming police training methodologies, and the establishment of effective mechanisms to empower the public in maintaining accountability. The authors put forward a series of recommendations aimed at enhancing police activities. These recommendations are intended to promote increased citizen trust, ensure the protection of individual rights and liberties, and optimize the efficacy of the law enforcement system.

Keywords: *principle of humanism, National Police of Ukraine, protection of rights and freedoms, human dignity, international human rights standards, law and order, police activity.*

Relevance of the topic. The full-scale invasion of Ukraine by Russia has precipitated profound socio-economic and political transformations within the country. Consequently, it is imperative to undertake a comprehensive restructuring of the law enforcement system. This restructuring must include the following: strengthening the protection of citizens' rights and freedoms, protecting property, and safeguarding the interests of enterprises, institutions, and organizations from illegal encroachments. Additionally, it is essential to humanize all aspects of social life. First and foremost, these stipulations pertain primarily to law enforcement entities, whose performance of contemporary tasks is predominantly associated with the

implementation of principles grounded in the recognition of universal values, including the decent treatment of individuals, humanism, the fortification of the protection of citizens' rights and freedoms, and other priorities of a lawful, democratic society. A rigorous examination of the role of humanism in the operations of the National Police of Ukraine is particularly salient, as these activities profoundly impact individual interests, rights, and freedoms, and are often associated with the use of coercion, which can have deleterious consequences for offenders. The critical nature of this problem and its diversity necessitate a systematic analysis and disclosure of the mechanisms of personality formation as the highest social value. This, in turn, is an important prerequisite for the development of new means, forms, and methods of activity of police bodies and units. At the same time, increased attention, reconsideration, significant clarification and search for new approaches to improving the system of principles of police activity under the current legal regime of martial law in Ukraine are required by an extremely wide range of problems arising in the exercise of civil rights and freedoms, as well as in the legislative and law enforcement practice of their regulation.

A number of scholars have examined the challenges faced by the humanistic direction in their works, including V. Averianov, I. Aristova, V. Babkin, O. Bezsmertnyi, I. Bychko, M. Verbenskyi, V. Zhuravskyi, O. Zaichuk, O. Kopylenko, M. Kostytskyi, O. Kostenko, L. Kravchenko, K. Levchenko, O. Martynenko, O. Myronenko, O. Murashyn, N. Nyzhnyk, V. Pohorilko, P. Rabinovych, Yu. Rymarenko, O. Skakun, S. Slyvka, O. Yarmysh and others. However, this field of scientific inquiry remains pertinent, evolving into a substantial scientific problem and a foundational concept that impacts the operations of all state entities, not solely law enforcement. It encompasses the regulation of interactions between the state and individuals. It is imperative to enhance the effectiveness and accountability of the National Police of Ukraine. The organization's methods and processes of operation have been the subject of critique from both human rights institutions and the general public. Repeatedly, these critiques have highlighted discrepancies between the police force's actions and international norms, leading to concerns regarding the preservation of citizens' rights and the protection of community interests from unlawful transgressions. Therefore, without diminishing the role and significance of the work of previous scholars, it is necessary to conduct a fundamental study of the humanistic foundations of the organization of the National Police. This study will streamline and develop legislative and organizational prerequisites for its further improvement. Additionally, it will rethink the understanding of the essence of humanism as a fundamental principle of its activities at the present stage.

The purpose of the article is to define the essence, meaning and content of the principle of humanism, to identify the specifics of its manifestation and the problems of its implementation in the activities of the National Police of Ukraine based on the analysis of the current legal acts and the practice of their implementation, as well as the theoretical achievements of scientists from various branches of law; to study the experience of implementation of international standards and principles-values in the activities of law enforcement agencies of foreign countries and to develop conceptual and theoretical bases, proposals and recommendations aimed at improvement of the national legislation and its application in this area.

Research methods. This study employs general scientific methods of cognition of objective reality based on a dialectical approach to the object of research, and special legal methods. The conceptual apparatus of the studied issues was deepened with the help of the logical-semantic method and the method of transition from the general to the particular. Employing structural and functional analysis method enables the formulation of a comprehensive understanding of the operations of the National Police, including its fundamental nature, manifestations, methodologies, and pathways for enhancement. Concurrently, the formal legal method facilitated an examination of the substance and configuration of the apparatus for implementing the principle of humanism in the activities of police entities and units. With the application of statistical, structural-logical and comparative methods, it is possible to identify areas for improving the implementation of the principle of humanism in the activities of the National Police of Ukraine.

Main text. The primary criterion for evaluating the rule of law and authentic democracy is the degree to which a society is prepared not only to acknowledge human rights, freedoms, and legitimate interests, but also to prioritize the individual as the “supreme value”. In democratic states, the relationship between the individual and the state is evolving, with human rights and freedoms consistently taking precedence. In accordance with Article 3 of the Constitution of Ukraine “a person, his life and health, honor and dignity, inviolability and security are defined in Ukraine as a high social value ensuring human rights and freedoms is the primary duty of the state” [1]. This statement, which is included in the Constitution of Ukraine, should be the basis for the functioning of all state bodies, including the National Police of Ukraine. It should be an axiom for every police officer, as our state has entrusted the function of protecting and defending the rights, liberties, and legitimate interests of individuals and citizens precisely to the National Police.

Moreover, taking into account the fact that in accordance to Article 1 of the Law of Ukraine “On the National Police” “the National Police of Ukraine (Police) is a central executive body serving the society by ensuring the protection of human rights and freedoms, combating crime, maintaining public safety and order” [2], we believe that the administrative function is the most important and the largest in scope, as it involves the largest number of police officers. Article 2 of the Law stipulates the fundamental duties of the police force. These “duties encompass the provision of police services in the following domains:

- 1) Ensuring public safety and maintaining order within society.
- 2) Protecting human rights and fundamental freedoms, while also safeguarding the interests of both society and the state.
- 3) Combating crime and maintaining public order. Providing, within the limits established by law, services to assist individuals who, due to personal, economic, social circumstances, or as a result of emergencies, require such assistance” [2].

If we accept the widely held view among theorists that principles represent the foundational tenets, the fundamental principles, the original concepts, which are distinguished by universality, general significance, and heightened imperativeness, and which reflect the fundamental provisions of theory, doctrine, and science [3, p. 110], then a general approach has developed among legal scholars that understands principles as guiding provisions, theoretical

concepts reflecting objective regularities, and as enshrined in law. Principles emerge from the collective generalization of objectively operating laws and regularities, representing their common features and characteristic signs that inform the content of such activities. In essence, objective reality serves as the fundamental source for the formation of principles [4, p. 206].

At the same time, the principles of police activity define its essence and nature, reflect the leading ideas of law and constitute the general principles of the mechanism of legal regulation of police activity aimed at protecting and safeguarding the rights and freedoms of citizens. They are extremely important, as they summarize the basic trends and reveal the genesis of legal norms and international standards of human rights.

The significance of the principles of police activity is multifaceted. These principles, interconnected with one another, ensure the efficacy of norms in both lawmaking and law enforcement by establishing general provisions. As basic principles and provisions, they form a kind of “framework” for all police activities. The principles of police activity, formulated on the basis of novel perspectives regarding the role of the police in the political, economic, and social processes currently unfolding in the country, are an essential prerequisite for the development and enhancement of police activity. Through the legislator’s consciousness, they significantly influence the further development of national legislation.

Thus, the system of principles of police activity consists of basic principles characterizing its activity as a state body and principles formulating the basic laws of such activity.

The fundamental principles governing these processes are derived from the regularities observed in the administrative and procedural activities of the police. The fundamental principles encompass the following: the rule of law; the concept of legality; the notion of systematicity; publicity (officialdom); comprehensiveness, objectivity; efficiency; the priority of human and civil rights and freedoms; the assurance of the right to respect for one’s dignity and personal integrity; the equality of all before the law; the provision of legal aid; the right to appeal against the actions and decisions of officials.

The principles that underpin police legislation permit optimal decision-making processes when it comes to the selection of legal methodologies and formal instruments for carrying out its duties. These core tenets encompass a range of principles, including humanism, transparency, comprehensiveness, expediency, objectivity, impartiality and professionalism.

Humanism constitutes the foundational basis for the structuring of state power, predicated on the recognition of the inherent value of the individual and the affirmation of the primacy of their interests within the ambit of state activities. With that in mind, police officers are duty-bound to act within the scope of their designated authority. In order to evaluate each circumstance that arises in their interactions with citizens, they are required to exercise professional maturity and discernment, selecting the most democratic and humane course of action for each situation.

There is an urgent need to study the specific methods used by the police in ensuring citizens’ rights and freedoms, to clarify the rules of conduct of police officers in the context of compliance with deontological principles, to study such an aspect of their activities as forms and methods of non-violent actions in the context of social conflict, and to develop proposals aimed at improving the theoretical and legal framework and practice of implementing humane forms and methods of the National Police.

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Issue 3-4(65-66) 2024

The legislator imposes requirements on police officers as defined in the Law of Ukraine “On the National Police” and other regulatory documents of the Ministry of Internal Affairs of Ukraine, as well as ethical requirements based on generally accepted moral and ethical principles and norms.

The defining structure is the construction of three articles of the Constitution of Ukraine, each of which reveals a certain aspect of the embodiment of the idea of humanism. Specifically, Article 3 of the Basic Law establishes the principle of humanism by recognizing dignity, inviolability, and security as the highest social value in Ukraine. Article 28 underscores the inalienable and inviolable subjective right of every person, stating, “no one shall be subjected to torture, cruel, inhuman, or degrading treatment or punishment”. This implies that there can be no justification, including legal justification, for an act against human dignity. Finally, Article 68 establishes a positive obligation for all subjects of law, which complements and limits the requirement to comply with the provisions of positive law in general: “everyone is obliged... not to infringe on the rights and freedoms, honor and dignity of other people”. According to the provisions of the Basic Law, human dignity serves as the fundamental concept around which the constitutional understanding of the legal status of the human person is structured. However, the recognition and protection of personal dignity are not directly related to the principle of humanism. Furthermore, there is a need for more detailed norms capable of guaranteeing compliance with this principle in all areas of law enforcement activity [5, p. 30].

The principles of respect for individual dignity and humane treatment are central tenets in the ethical framework of the National Police. Specifically, Section II of the Rules of Ethical Conduct for Police Officers stipulates that “in the performance of their duties, police officers shall show respect for the dignity of every person, treat everyone fairly and impartially, regardless of race or nationality, language, gender, age, religion, political or other beliefs, property, social origin or status, education, place of residence, sexual orientation or other characteristics, and shall not discriminate in any form” [6].

We should agree with the proposal of V. Kuzyk, who suggests amending Paragraph 5 of Section 1 of the Rules of Ethical Conduct for Police Officers, as approved by Order of the Ministry of Internal Affairs of Ukraine No. 1179 of November 9, 2016, with the following revised text: “5. A police officer shall carry out his/her activities in accordance with the fundamental principles enshrined in the Constitution of Ukraine and the Law of Ukraine “On the National Police”, other legislative acts of Ukraine, as well as functional principles enshrined in the regulations on structural units of the central/territorial police body”. [15, p. 72].

From a legal perspective, the distinctive nature of the National Police in safeguarding citizens’ rights and liberties stems from the fact that its primary function does not entail direct interference in individuals’ personal lives. Instead, its primary objective is to address and eliminate the negative factors that impede citizens from fully enjoying the benefits of individual freedom.

In light of the current reorganization efforts of the Ukrainian police force, there is a pressing need to implement international human rights standards and draw upon the experiences of foreign law enforcement agencies in ensuring human rights and freedoms.

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Issue 3-4(65-66) 2024

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This approach aims to enhance the legal framework governing the police's operations and establish a comprehensive system of criteria for assessing the state of citizens' rights and freedoms. Additionally, it seeks to address critical issues related to police staffing and to introduce more humane methods and practices.

Despite the fact that the forms and methods of police activity in the field of ensuring the rights and freedoms of citizens are specific types of its activities, means, ways and techniques by which it creates favorable conditions for citizens to exercise their rights and freedoms, guards and protects them from offenses and participates in the restoration of violated rights and compensation for damages, it is believed that the forms and methods of police activity in this area are interdependent. They cannot be considered separately, since together they constitute a single, integral organism that creates the right conditions for ensuring the rights and freedoms of citizens.

Consequently, there is a necessity to conduct a more comprehensive investigation and analysis of the forms and methods of police activity as the primary mechanisms for ensuring the rights and freedoms of citizens. These findings must be incorporated more comprehensively into the existing educational literature. Particular attention to the special regulations that define international standards of law enforcement in this area. It is essential to create a police force that aligns with the best international achievements, determining its high professionalism, patriotism, dedication, high culture, and responsibility. The humane treatment of people and respect for them must become not only an official duty, but also a moral guideline for every police officer.

The principle of humanism implies respect for the rights, freedoms and legitimate interests of citizens and is extremely important in police activities. The rights, freedoms, obligations, and legitimate interests of a person and a citizen in a legal state and civil society are universally significant categories. Ukraine has chosen these ideals as the prospect of its development. Therefore, police activity cannot be recognized as effective, nor even necessary, without ensuring respect for the rights, freedoms, duties and legitimate interests of a person and citizen.

Humanism posits the belief in the limitlessness of human potential and its ability to improve, the demand for freedom and the protection of individual dignity, and the idea of a person's right to happiness. Simultaneously, the principle of humanism is comprehended as a system of viewpoints determined by historical necessity, in which an individual is recognised as an autonomous value and an independent subject of his actions and which reflects the requirements of society in such an individual, and his development according to the laws of personal activity is regarded as a necessary condition for the development of society. "Humanism is a philosophical, ethical and natural law principle that gives a person the status of absolute value" [7, p. 74].

Consequently, humanism is a worldview that recognises the dignity of every person as the highest value of all humanity. It assumes a conscious perception accessible to those who are inclined to feel and think accordingly. As a cultural phenomenon, it stimulates the general progress of world civilisation. The synthesis of these two ideas leads to the understanding of humanism as an open, dynamically evolving system: views, ideas, moral principles denying

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Issue 3-4(65-66) 2024

all forms of inequality between the individual and society; practical actions implementing this principle in the economic, political and legal spheres of life. At the same time, one provision of this system remains unchanged - the recognition of human dignity as the highest value in the world.

According to M. Kostytskyi, humanism affirms the value of human personality, human existence, dignity, rights and freedoms of each person [8, p. 13]. Researchers A. Kolodii and A. Oliinyk posit that humanism is predicated on the principle that the self-worth of each individual, in conjunction with their inalienable rights, constitutes the highest value. Humanism is defined by a set of values including kindness, mercy, compassion, empathy, respect for individuals and a desire to help each person gain a worthwhile place in life, as well as eliminating negative aspects [9, p. 208]. Humanism, as a fundamental principle of professional morality and police activity in the context of the current stage of development of Ukrainian society, imposes upon police officers the obligation to respond promptly and efficiently to unlawful actions. The police are the core of Ukraine's law enforcement system. Their primary responsibilities include protecting human and citizen rights, ensuring law and order, and upholding legal compliance.

In this regard, quite right is the position of V. Shylinhov, who argues that humanism should become a universal principle of the rule of law and its bodies, including the police. Law enforcement officers are prohibited from utilising any methods in pursuit of their objectives. The postulate "the end justifies the means" falls outside the scope of their professional standards. The methods and means used by the police in the course of its activities shall comply with the requirements of morality, humanism and justice. However, the practical implementation of humanistic principles in policing is only possible if humanistic criteria for assessing the effectiveness of policing are effective, a high level of professionalism is ensured and the general and legal culture of police officers is improved [10, p. 4, 9].

Nevertheless, as I. Kondratiev emphasises, the problem of violence as a means to an end, the dialectic of humanism and violence, is extremely important for understanding the principles of law enforcement. Such an analysis is also necessary because everyday consciousness often fosters illusions about the omnipotence of violence and cruelty, especially with regard to the fight against crime. The dialectic of the goal and the means in this logical chain does not exclude the possibility of such a situation when the means contradict the aim. Hence the main task – to prevent inadequate means from deforming and distorting the humane and noble goal [11, p. 56]. The thesis of I. Shamrai correctly notes that "Jean-Jacques Rousseau, as the founder of rationalism and humanism in the law of war, believed that a law enforcement officer should not cause suffering, commit encroachments, or cause damage that is not necessary to achieve the only goal – stopping the offense" [12, p. 320].

Humanism in modern legal doctrine is interpreted as a human-essential worldview, a general social principle of law, and a system of views on man as the highest value. These features characterise this conception of humanism: respect for the freedom and dignity of every person; consideration of the interests, needs, and individual characteristics of each person; human well-being; concern for human happiness; the provision of equal opportunities for development; self-improvement of the individual; and highly moral relations between people.

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Issue 3-4(65-66) 2024

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In consideration of the aforementioned, it is imperative that the principle of humanism be enshrined not solely in individual branches of legislation, but rather in all branches, thereby ensuring a more pronounced orientation of law enforcement practice towards the imperative of its implementation. The evolution of the concept of humanism, human dignity, human rights and freedoms mirrors the fundamental aspiration of humanity to eradicate all manifestations of violence, exploitation and oppression, and to foster coexistence.

It is clear that the content of the principle of humanism in police activities includes the rules concerning the equality of all people before the law, the attitude towards a person, their life and health, honour and dignity, inviolability and security as the highest social value. The principles of humanism are given the status of universally binding rules through the relevant norms of the Constitution of Ukraine, thus becoming a form of its legal embodiment. At the same time, the legal norms that regulate police activities must be harmoniously combined with the prevailing social values and the concept of the modern legal system, and the principle of humanism as the fundamental principle of police activities must be mandatory for all police officers without exception. Humanism must be regarded not solely as a principle, but also as a criterion that enables the evaluation of the adequacy or inadequacy of the implementation of humanistic requirements in the field of policing. This activity is carried out in conflict situations where the interests of different categories of people collide. It is necessary to take into account the multifaceted manifestation of humanism, in particular in relation to the offender, the victim and society as a whole. Humanism, in its capacity as a principle, is inherently dependent on its integration within a broader framework of principles that govern police activity. These include, but are not limited to, legality, justice, freedom, equality, and respect for the individual. Within this overarching system, humanism assumes a pivotal role, serving as a cornerstone and guiding principle.

It is also important to emphasise that representatives of political science, philosophy, legal theory and specialists in legal sciences continue to work on humanistic issues. This indicates the complexity of the issue of humanising social life in Ukraine, the need to develop nationwide approaches to the problem of human rights in modern conditions, and the expansion of capabilities and guarantees for their implementation. The absence of humanism as a genuinely human regulatory framework for relations between individuals, and between individuals and society, would have precluded the capacity for humanity to embark on a genuinely civilised development. And every time it appeared that humanity was at an impasse, entangled in its own seemingly intractable contradictions, it turned to the ideas of humanism, drawing not comfort but optimism for the future of human history. The ability to understand the possibilities inherent in humanism, and to create its nascent forms, enables humanity to more effectively address the contradictions and problems that emerge during historical development. This, in turn, facilitates the establishment of reliable guidelines and models for a promising future.

With regard to the mechanism for implementing the principle of humanism in police activities, we believe that it is a set of institutional and legal mechanisms that guarantee the realisation of the specified principle in practice. The implementation mechanism is not limited to the legal block, given that this process is significantly influenced by: the political, socio-

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Issue 3-4(65-66) 2024

economic and socio-psychological situation in the country; the level of legal and general culture and morality of both the police officers themselves and individual citizens; the trends in the development of society and the state at the current stage. Important components of the implementation mechanism are police bodies, units and services, as well as the police officers themselves, who ensure the application of the principle of humanism in the process of their activities.

The mechanism for implementing the principle of humanism in police activities should therefore contain the following elements: the formula of the principle, which includes the formulation of its concept and content; norms that enshrine the principle of humanism, in order to give this principle greater significance and imperativeness; forms of implementing the specified principle; legal relations that arise during the implementation of the principle of humanism in police activities; the process of actual realisation of this principle in the activities of each police officer. The process of implementing legal norms enshrining the principle of humanism, in order to give this principle greater significance and imperative, can be defined as the unity of legal and other means, techniques and methods by which it is materialised, actually implemented.

If we take as a basis the view, widely held among theorists, that the principle of humanism is the consolidation in legal forms of relations between a person, the state and society on the basis of recognition of the intrinsic value of the human person, the inalienability of his rights and freedoms, respect for his dignity and protection against arbitrary interference in the sphere of personal life, then it is evident that humanist ideas are also among the general grounds of the Constitution of Ukraine. In particular, Article 3 of the Basic Law of Ukraine states that “a person, whose life and health, honour and dignity, inviolability and security are recognised in Ukraine as the highest social value” [1]. The above provision briefly reproduces the content of the conceptual foundations of the preamble to the Universal Declaration of Human Rights, which should in fact determine the compliance of the provisions of the Constitution of Ukraine with international human rights standards. Among these principles, it's worth mentioning in particular “faith in fundamental human rights, in the dignity and worth of the human person”, as well as “recognising the inherent dignity and the equal and inalienable rights of all members of the human family”. The postulates outlined above are also reflected in the preambles of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The said article of the Constitution is rightly considered as the normative and legal basis of the humanistic direction of development of social and state life in Ukraine [13, p. 19].

It is well known that the best form of embodying and protecting the dignity of the individual, his or her individuality and uniqueness, is the institution of integral and inalienable human rights. With the primary support of the human rights institute (Chapter II of the Constitution of Ukraine), the law implements the principle of human dignity, transforming citizens from objects of influence into active subjects.

The Constitution of Ukraine consistently enshrines important humanistic postulates at the legal level, in particular: diversity (Article 15); the right of a person to free development of his personality, provided that the rights and freedoms of other people are not violated

(Article 23); freedom of literary, artistic, scientific and technical creativity (Article 54); other various freedoms (Articles 27-35, etc.); the right to an adequate standard of living (Article 48); the existence of duties to a society in which the free and comprehensive development of his personality is ensured (Article 23); the duty not to encroach on the rights and freedoms, honor and dignity of other people (Article 68). Constitutional norms enshrining this principle have higher legal force and are directly applicable norms.

These facts give grounds to consider humanism as an inalienable fundamental principle. The Constitutional Court of Ukraine has reached analogous conclusions, adopting a humanistic and human-oriented understanding of the law [14, p. 15].

The principle of humanism in law is embodied in a number of normative provisions in various areas, such as: no one may be arrested or detained without justification; parents are obliged to support their children until they reach the age of majority; no one may be subjected to torture or other cruel, inhuman or degrading treatment or punishment; and the prohibition of the press and the public from attending court proceedings for reasons of morality.

As we can see, there are many norms established by law and guaranteed by the state that give each person confidence in their social value, the opportunity to recognise themselves as a person, respect their own moral and ethical standards, insist on respect for other people, state bodies and their officials and employees, and demand that any doubts about their moral qualities and ethical principles be duly substantiated. Everyone has a duty to respect the rights and freedoms of others and their dignity.

Therefore, in their activities, police officers must create certain conditions and use certain means for the realisation of human rights and freedoms and respect for human dignity. This element of the mechanism covers both the activities of business entities and all other subjects of legal relations who are obliged to refrain from violating human rights and freedoms and to respect their dignity. That is, the implementation of the principle of humanism in police activity manifests in several forms, including observance, use, execution and application.

Adherence to the principle of humanism in this context entails a responsibility on the part of police officers to recognise that, in accordance with both domestic and international legal norms, the highest social value in Ukraine is defined as encompassing a person's life and health, honour and dignity, inviolability and security. Consequently, police officers must refrain from violating citizens' rights and freedoms, honour and dignity, as well as the norms of the Constitution and laws of Ukraine. This model can be considered a passive behaviour exhibited by subjects of legal relations, arising from the exercise of powers by police officers. As per the provisions outlined in Article 68 of the Ukrainian Basic Law and in line with the prohibitory constitutional principles, the legislation stipulates the requirement for both law enforcement officials and members of the general public to refrain from engaging in specific behaviours. This form of implementation involves passive behaviour on the part of business entities, regardless of their own desire, and it implements prohibitive norms, also set out in a special part of the Code of Ukraine on Administrative Offences. Thus, citizens do not commit acts prohibited by the aforementioned code and thus implement the prohibitive norms in the form of compliance.

The enforcement of the humanist principle by police officers is an active behaviour that consists of complying with the Constitution and laws of Ukraine. It also involves preventing unlawful restrictions and violations of citizens' rights, freedoms and legitimate interests in the course of their activities. In exercising their powers, police officers are obliged to act lawfully and, within the limits of their competence, to take timely and comprehensive action to eliminate violations of the law, regardless of who caused them. This is expressed by the formula "do no more, no less". The particularities of implementing the principle of humanism by police officers in the form of performance lies in the fact that the state pays them a salary for the proper performance of their legal duties, and failure to perform their duties entails the application of measures of accountability, up to and including dismissal from service.

With regard to the use of humanism as a form of implementation of the principle of humanism, we should note that police officers, in the course of their activities, provide the necessary conditions for citizens to exercise their rights, freedoms and legitimate interests; conduct educational and explanatory work; provide information on the possibilities of exercising their rights; take the necessary measures to identify and eliminate possible prerequisites for violating the rights and freedoms of citizens, etc.

When considering the application of humanism in police activity, it is important to recognise its role in establishing the necessary conditions for ensuring human and civil rights and freedoms. This concept is associated with both lawful and unlawful activities of subjects (citizens, organisations, officials). This activity is characterised by the creation of law enforcement acts, which serve as a means of expressing power and fulfilling the assigned tasks of the police. These include the protection of the rights, freedoms and legitimate interests of individuals and legal entities, as well as the interests of society and the state from unlawful encroachments. The acts also include the combatting of offences, the protection of public order and the ensuring of public safety. The application serves as a specific form of police influence, representing the authorities in external relations with citizens. External legal relations are relations between the police and citizens, organisations, enterprises, institutions that arise in the course of activities aimed at ensuring the rights and freedoms of citizens, as well as at ensuring public order and security for society and the state from unlawful encroachments. Internal legal relations refer to the interactions that occur directly between various services and units at different levels, as well as between these entities and higher authorities. These relations also extend through the line of "superior-subordinate" in a police service or unit.

At the same time, police officers may also enter into atypical legal relations, which are usually of a contractual nature. These relations arise as a result of contracts: for the protection of objects by security police units; for escort; for the organisation of public order protection on a commercial basis during mass events, sports competitions, etc.

The final element of the mechanism for implementing the principle of humanism in police activity is the process of factual implementation of this principle, which is worthy of separate attention. In our opinion, the process of factual implementing the principle of humanism in police activity takes place in specific life situations, in particular in connection with citizens' appeals or in the process of identifying or establishing the facts of offences and the persons who committed them. Policemen must implement this principle at all times, namely: when

protecting public order, implementing the permit system, ensuring the exercise of citizens' rights to free movement and choice of residence, ensuring road safety, protecting facilities, interacting with other law enforcement agencies to protect individuals, society and the state from unlawful encroachments, etc.

Consequently, the implementation of the principle of humanism in policing is carried out through the existing mechanism for implementing the principles, which is a system of interrelated elements, the effectiveness of which largely depends on the direct, daily, practical realisation of tasks and functions to ensure and protect the rights and freedoms of citizens, to protect public order and ensure public safety. The mechanism for implementing the principle of humanism may be influenced by both positive and negative factors, and therefore, the study of its elements and factors of influence will help to significantly improve the level of implementation of this principle in police activities and minimise the effects of negative factors, which will further strengthen law and order in the state, ensure personal security, and ensure reliable protection of the rights, freedoms and legitimate interests of both citizens and policemen.

It is also necessary to pay attention to the need to create a comprehensive, humanistic component in the police training system, as well as the potential capabilities of the educational process of higher education institutions with specific conditions of education of the Ministry of Internal Affairs of Ukraine regarding humanistic education of cadets and insufficient level of its implementation due to the established practice of prioritising professional orientation.

The personality development of a prospective law enforcement officer encompasses the establishment of consciousness, a scientific perspective, and a sophisticated level of personal culture. Currently, society requires professionals who embody the qualities of self-improvement, characterised by innovative thinking, a democratic approach to their activities, a high level of self-awareness and cultural competence, and the ability to predict the outcome of their functional duties. Those who have chosen to pursue a career in law enforcement, a profession that demands both mental acumen and physical aptitude, as well as a rigorous educational foundation specialising in the field, must be guided by principles that prioritise humanistic values in their efforts to benefit society.

The process of self-realisation, which is defined as the ability to understand one's own humanistic potential, is not achieved through the passive acceptance of moral norms. Instead, it is derived from the active pursuit of self-knowledge and the adoption of a compassionate attitude towards others. Concurrently, the development of the spiritual qualities of the individual is an integral component of the educational process. Consequently, the primary responsibility of higher education institutions with specific training conditions as designated by the MIA of Ukraine is to cultivate a humanistic paradigm of law enforcement officers, who possess not only professional competencies, but also a capacity for creativity and a comprehensive approach to addressing social and professional challenges. The primary objective of innovative training that contributes to the development of a police officer's personality should be the formation of humanistic values, which serve as the foundation for purposeful orientation in their professional activities.

The process of forming humanistic values is ensured by the subjective interaction of scientific and pedagogical workers of higher education institutions with the specific training conditions of the Ministry of Internal Affairs of Ukraine with cadets during the educational process. The main mechanism of such interaction lies primarily in the need for communication, emotional contact, respect for human dignity, care for people, a value-based attitude towards them, and their active inclusion in humanistically directed activities and relationships with others.

When considering education as a process of interaction between educators and students, as well as between students themselves, it is important to recognise the unique aspects of cadets' personality development and the nature of personality formation at this age. After all, entering higher education institutions with specific training conditions of the Ministry of Internal Affairs of Ukraine is a crisis period in the process of forming the personality of cadets, and their value orientations during this period are subject to certain fluctuations. They have not yet been endowed with a deeply realised personal meaning and have not acquired a solid ideological and life-experience foundation. When entering a higher educational institution with specific learning processes of the MIA of Ukraine, a cadet must, among other things, quickly and effectively designate himself, form an opinion about the basic principles of education in such an institution, demonstrate independence, responsibility, integrity, a sense of personal dignity as a future law enforcement officer, creative activity, critical thinking, etc. With all these character traits, such a person will be able to communicate effectively with other cadets, be respectful of academic staff and, most importantly, study and carry out their duties conscientiously. In this regard, the formation of such character traits in cadets should become one of the main tasks of the educational process of higher educational institutions with specific educational conditions of the Ministry of Internal Affairs of Ukraine.

In addition, all those directly involved in the education and training of cadet youth should systematically guide them to promote humanistic beliefs and respect for human beings. This task entails a shift in the prevailing value priorities within the domains of teaching and upbringing. It involves the introduction of innovative, personality-oriented forms and methods of teaching, leveraging the potential of social studies subjects. These subjects place the individual, their developmental process, inner world, interaction in groups and society, and relations with the state at the centre of study. Studying these fields equips cadets with a comprehensive understanding of social ideals and the tools to evaluate various social phenomena and human qualities. Furthermore, they acquire an in-depth grasp of the norms and principles that govern relationships between different social groups and individuals.

The guiding principle of humanism is of key importance in the activities of the National Police of Ukraine, as it ensures the establishment of democratic standards of law and order, the protection of citizens' rights, and contributes to the formation of trust in law enforcement bodies. "Adherence and implementation of the basic principles of the activities of the bodies (units) of the National Police of Ukraine ensure the process of formation and effective functioning of the police institution in Ukraine in accordance with international standards for ensuring human rights and freedoms in various spheres of life" [16, p. 95].

In view of the aforementioned, we believe that the implementation of a humanistically

oriented system of values within the professional training of cadets at higher educational institutions, contingent upon the specific training conditions of the MIA of Ukraine, is a component of ensuring a consistent, systematic humanisation of relations between the police and the public. In the pursuit of enhancing the efficacy of fostering the humanistic orientation amongst cadets, it is imperative to consider their general sense of life orientation, the nature and extent of their motivation, theoretical knowledge, and practical skills as prospective law enforcement officers. And the education of future law enforcement officers, whose activities deal with ensuring public order and security, should be in line with the global level of democratic countries with the rule of law, the promotion of ideas and norms of humanism and the desire to form not only professionally competent employees, but also socially responsible citizens and patriots. The development of a humanistically oriented police force is a key factor in strengthening law and order in Ukraine and ensuring high human rights standards, which is a prerequisite for the democratic development of society.

In consideration of the aforementioned points, the following conclusions can be deduced:

1) The principle of humanism is the key to the work of the National Police of Ukraine. It ensures respect for the rights, freedoms and legitimate interests of citizens and also guides police activity in accordance with democratic values and international standards; 2) The Constitution of Ukraine and the Law of Ukraine “On the National Police” define human rights as the highest social value, which requires police officers to adhere to ethical standards and humane treatment of citizens; 3) The formal principles of humanism are not always effectively implemented in practice due to the insufficient level of legal culture, professional training of police officers and the imperfection of the legislative framework; therefore, police activities need to be improved, including by updating working methods, training personnel and implementing best international practices in the field of human rights protection; 4) Police training should be based on the formation of humanistic values, which will contribute to more effective interaction with citizens and increase the level of trust in the law enforcement system, and the use of foreign models of law enforcement activity based on humanistic principles will significantly improve the level of respect for human rights in Ukraine.

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РЕАЛІЗАЦІЯ ПРИНЦИПУ ГУМАНІЗМУ В ДІЯЛЬНОСТІ НАЦІОНАЛЬНОЇ ПОЛІЦІЇ УКРАЇНИ

Сучасні суспільно-політичні процеси в Україні, зокрема повномасштабне вторгнення рф, вимагають не лише зміцнення правоохоронної системи, але й її гуманізації. Принцип гуманізму є основоположним у діяльності Національної поліції України, оскільки спрямований на захист прав та свобод громадян, забезпечення гідного ставлення до особистості та дотримання демократичних стандартів. У цьому контексті особливо важливим є дослідження механізмів реалізації цього принципу, проблем його впровадження та шляхів вдосконалення діяльності поліції.

У статті наголошується, що гуманізм передбачає визнання людини найвищою соціальною цінністю, що закріплено у статті 3 Конституції України. Він вимагає від правоохоронних органів забезпечення прав, свобод та гідності громадян, незалежно від їхньої національності, статі, віросповідання чи соціального статусу.

Зважаючи на те, що Національна поліція України є центральним органом виконавчої влади, основним завданням якого є захист прав і свобод людини, протидія злочинності та забезпечення публічної безпеки, одним із ключових принципів її діяльності є гуманізм, який передбачає повагу до особистості, виключення надмірного застосування сили та забезпечення справедливого правозастосування.

Розкриваються основні аспекти гуманістичного підходу, до яких віднесено: дотримання міжнародних стандартів захисту прав людини, використання ненасильницьких методів взаємодії з громадянами, повага до гідності осіб, які перебувають у контакті з поліцією, виключення будь-яких форм дискримінації чи упередженого ставлення.

Зазначається, що принцип гуманізму в діяльності поліції закріплений у низці законодавчих актів, а саме: Конституції України (ст. 3, 28, 68), де визначається, що людина є найвищою соціальною цінністю, а катування та нелюдське поводження заборонені; Законі України «Про Національну поліцію», що регламентує основні завдання поліції, серед яких забезпечення прав і свобод людини; міжнародних актах, таких як Загальна

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декларація прав людини, Європейська конвенція з прав людини, які визначають стандарти поводження з громадянами, включаючи захист від катувань і жорстокого поводження. Водночас попри законодавче закріплення, практика реалізації принципу гуманізму стикається з низкою викликів, серед яких недостатня підготовка поліцейських, проблеми правозастосування та неефективність окремих механізмів контролю.

Акцитується на таких проблемах реалізації принципу гуманізму в діяльності поліції, як: 1) недостатній рівень професійної підготовки, оскільки поліцейські не завжди володіють необхідними навичками ефективного спілкування з громадянами без застосування сили; 2) недостатня довіра населення через окремі випадки неправомірних дій поліцейських формує негативне ставлення до органів правопорядку; 3) законодавчі акти потребують оновлення, аби відповідати сучасним викликам у сфері правоохоронної діяльності.

Запропоновано шляхи вдосконалення реалізації принципу гуманізму, зокрема щодо реформування системи підготовки поліцейських (запровадження курсів із ненасильницького вирішення конфліктів, впровадження психологічної підготовки для роботи в критичних ситуаціях, вивчення міжнародних стандартів прав людини та використання найкращих практик європейських країн у сфері забезпечення прав людини), формування гуманістичних цінностей має розпочинатися ще під час навчання курсантів у закладах вищої освіти зі специфічними умовами навчання МВС України, а також запровадження механізмів незалежного нагляду за діяльністю поліції шляхом розширення можливостей громадських організацій щодо моніторингу правозахисної діяльності правоохоронців.

Реалізація цих заходів сприятиме створенню в Україні поліції європейського зразка, яка буде орієнтована на захист прав громадян та дотримання принципів гуманізму.

Ключові слова: принцип гуманізму, Національна поліція України, захист прав і свобод, гідність людини, міжнародні стандарти з прав людини, правопорядок, діяльність поліції.

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