

**Pastushchak Inna,**  
cadet of the 3<sup>rd</sup> year of the Institute № 2  
of the National Academy of Internal Affairs,  
specialty «Law»

Language Adviser:  
**Volik Olena,**  
Senior lecturer of the Legal Linguistics  
Department  
of the National Academy of Internal Affairs

## **PREVENTION OF ORGANIZED CRIME: FOREIGN EXPERIENCE**

In Ukraine, there is a need and expediency to borrow the experience of foreign countries in the prevention of organized crime in terms of creating special institutions at the level of law enforcement agencies. The experience of the USA, Great Britain, Italy and Croatia is an interesting practice in this matter [1]. The US law enforcement system is a complex conglomeration of neutralized (federal) and decentralized (local) structures.

The task of combating organized crime is to some extent assigned to federal law enforcement agencies, of which there are more than seventy in the United States. In the complex multi-entity system of US federal law enforcement agencies, however, there are several major ministries that play a leading role in the fight against organized crime in the country: 2) the state attorney's office (prosecutor's office); 3) the Grand Jury the Grand Jury consists of 23 jurors and is a body of pre-trial investigation and trial, it does not consider criminal cases and does not pass convictions). In addition, in accordance with the Organized Crime Program, the US federal government has established the Shock Forces Association. The main task of the Strike Force, which operates under the general direction of the US Department of Justice and in close contact with state law enforcement, is to identify organized crime groups. The duties of the Shock Forces include the search for evidence of criminal activity of participants in illegal business. The legal regime of the Shock Forces is determined by the criminal procedure legislation and special instructions of the US Department of Justice. Thus, we must note that the prevention of organized crime in the United States is conducted at two levels: general and special. It should be noted that the key to the effectiveness of the police is not only broad support (moral, physical, information) from the population, but also stable financial allocations from various local and federal sources [2].

In the United Kingdom, the Serious Organized Crime Agency (SOCA) has been operating since April 1, 2006. Its priority areas are:

1) raising public awareness of organized crime; 2) increase in the amount of returned funds obtained illegally and the number of opened criminal cases; 3) increasing the threat to the activities of organized criminal groups in the UK through the operational and investigative actions, as well as the introduction of new ways to combat this phenomenon. Thus, a separate institution has been set up in the United Kingdom to prevent organized crime, but its subject matter is only particularly dangerous organized crime.

In Italy, in order to strengthen the fight against organized crime, the country's Parliament has established a special General Council for Combating Organized Crime, as well as district offices for combating organized crime and the mafia and separately - the State Office for Combating Mafia and the Investigative Office for Combating Mafia. In addition, an operational investigation department for the fight against organized crime and the mafia has been set up within the Italian Prosecutor General's Office.

Thus, the National Directorate for Combating Organized Crime and the Mafia, the district administration and the operational and investigative department for combating organized crime constitute a system of multifunctional, specialized operational, investigative and information elements on combating organized crime. Every six months, the Minister of the Interior reports to Parliament on the work done. There is also an annual report of the Minister of Parliament on the whole range of issues related to organized crime. The prevention of organized crime in Italy is carried out not only at the level of law enforcement agencies, but also at the level of executive bodies accountable to parliament. In Croatia the Office for the Fight against Corruption and Organized Crime (USKOK) was established within the Croatian Public Prosecutor's Office. The Head of the Office is at the same time the Deputy Prosecutor General and is appointed by the Prosecutor General for four years with the consent of the Minister of Justice and the Council of State Prosecutors. Special Prosecutors of the Office are appointed by the Prosecutor General on the proposal of the Head of the Office. The Office directs and oversees the investigation of corruption and organized crime crimes and the prosecution. The department itself does not investigate offenses. It only supervises and supervises police officers, who mainly work in the Police Department for Combating Economic Crimes and Corruption. Thus, the Croatian specialized body for the prevention of organized crime exists only at the level of the prosecutor's office, which in this case is only a supervisory authority [1].

### **References:**

1. Міняйло Н.С. Зарубіжний досвід запобігання організованій злочинності. Науковий вісник Чернівецького університету. 2013. Вип. 660. С. 146–147.

2. Колодязний М.Г. Сучасний зарубіжний досвід громадського впливу на злочинність : монографія; за ред. В.В.Голіни. Харків : Право, 2017. 252 с.

### **Platonova Sophiia,**

student of the 3<sup>d</sup> year of the Institute № 1  
of the National Academy of Internal Affairs,  
specialty «Law»

Language Adviser:

### **Skrynyk Myroslava,**

Senior Instructor of the Legal Linguistics  
Department  
of the National Academy of Internal Affairs

## **PECULIARITIES OF TORT LIABILITIES IN WARTIME**

During armed conflicts, civilians often sustain significant losses to life, body, and property. Yet, their ability to obtain a remedy for their injuries is limited. Under international law, states are not obligated to compensate private individuals for inflictions of losses during war, and they enjoy a special immunity from domestic tort liability, known as the ‘combatant activities exception’. This exception means that no matter what kind of a wrong states might inflict on civilians while engaging in warfare, no tort liability can be imposed on them by their own courts [1].

The issue of the existence of tort liabilities and civil liability for damages between the parties is in the realm of civil legal relations between the victim and the state, which are not regulated by the provisions of the Criminal Procedure Code of Ukraine, and the commercial court independently determines the presence or absence of a civil offense that became the basis for recovery of damages by evaluating the evidence provided by the parties [1].

Tort liabilities in wartime can be complex and are often influenced by various legal, ethical, and practical considerations. Here are some peculiarities and challenges associated with tort liabilities in wartime [2]. Combatants engaged in military operations are generally granted immunity