

"establishing the truth, providing reparations and guarantees of non-repetition. This punishment is bound to happen sooner or later, in one form or another. And the document prepared by the UN Commission will become one of the bricks on which justice will be built.

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Чукалов К.,

здобувач ступеня вищої освіти
бакалавра Криворізького навчально-
наукового інституту Донецького
державного університету
внутрішніх справ

Консультант з мови: Олендра Н.

**EXPERIENCE OF FOREIGN COUNTRIES IN OFFENSIVE
STRATEGY FIGHT AGAINST ORGANIZED CRIME**

The issue of analysis of influence measures on the organized transnational crime, its problematic aspects, causes, and measures to prevent it as well as elements of an offensive strategy of combating organized crime of a fundamental nature is very relevant today. Without implementing all of these strategies, society cannot expect to succeed in the fight against the criminal world.

Foreign experience proves that in order to create a mechanism for effective counteraction to organized crime, it is necessary to intensify the strengthening of the state system of destructive influence on crime and create social mechanisms that would help eliminate the systemic factors that determine the advantages of

organized crime, as well as overcome the priority of the pace of evolution of the mafia over the pace of evolution of state anti-criminal and anti-corruption structures [1].

The experience of fighting the state opposition and organized crime shows that the latter is not very sensitive to traditional measures of influence. In the process of criminal evolution, it has become immune to traditional systems of crime prevention, investigation, administration of justice, and execution of punishment. The overriding task of society in the fight against organized crime is to develop such measures of destructive influence on this criminal phenomenon that would prevent it from crossing the dangerous line of arbitrariness and lawlessness. The task of criminological science is to find the most effective measures to counter organized destructive crime based on the principle of legality. The main factor of success in the fight against organized crime is the decisive and political will of the authorities. Creation of an effective state mechanism that exerts a destructive influence on the organized crime in a democratic state is based on:

- integration of society's efforts;
- categorical anti-mafia public opinion, driven by strong informational journalistic support;
- election of a representative of healthy forces as the leader of the state society on the wave of anti-mafia sentiments [3].

A system of destructive influence on organized crime will only be able to function effectively when it succeeds to neutralize the protective mechanisms of the mafia structure. The impact on organized crime should be based on specific principles, the main of which is the absolute need for a long-term strategy. The advantage of this type of crime is that illegal activities in this area have an extremely high level of preparation and the most powerful support (organizational, material, ideological). Global criminal leaders develop in detail not only the strategy but also the tactics of criminal activities that last for decades. A social organism that has a behavioral strategy will have an advantage over structures that operate spontaneously, based on the stimulus-response principle. This pattern is typical of the confrontation between the state and organized crime that exists in our society [2].

On the contrary, under the condition of proper organization of strategic and tactical confrontation success is possible. It is convincing witnessed by both domestic and foreign experience.

Organization of strategic counteraction to organized crime should include the following elements:

- a) definition of goals (perspective and phased);
- b) establishment of non-departmental state bodies to combat criminal activity with an organizational structure adequate to the tasks and not inferior to criminal clans in terms of protection (from blackmail, physical violence and corruption);
- c) ensuring priority in material support of bodies fighting against organized crime;
- d) transition to a state policy that makes it as difficult as possible for organized crime to operate and develop (creation of control structures, development of a legislative framework, ideology, priorities for production and economic activity, etc.).

Setting a goal is usually not difficult. However, it is necessary to outline not the maximum possible, but the minimum level at which the results can be considered satisfactory. In this regard, the development of functional tactics, a concept that can be used to build a strategy, is becoming increasingly important. State policy mistakes have prevented the implementation of one of the key strategies – the prevention of organized crime. It has become the reality of our lives.

Therefore, it is necessary to look for new approaches. Undoubtedly, the most optimal strategic approach to defining the tasks of confrontation between society and criminal structures is to formulate the concept of destructive influence. Its essence in the context of the analyzed area is the gradual destruction of organized crime structures and prevention of its activities outside the country. Gradual and at the same time objective indicators of the success of law enforcement agencies can be considered the elimination of signs of organized crime from certain areas of society. Of course, public administration (along with the military) is a priority in this regard.

To destroy a criminal network, it is necessary to overcome its system-forming factors:

- the complex structure of a criminal organization;
- use of bribery, threats and murders;
- attraction of significant financial funds as a tool of criminal activity;
- the integration of criminal groups into the criminal community within the country and on an international scale [4].

The growth of organized crime in all countries of the world in a certain period of time has put on the agenda the question of the inability of the traditional police system to counter this evil. Deficiencies in the activity and organization of law enforcement agencies lead to their global corruption, as a result of which they

only begin to imitate the fight against crime. The low level of security and wages leads to the fact that recalcitrant mafia structures have been carrying out criminal activities for a long time through bribery, threats and physical elimination.

The possibility of bribery can only be neutralized by combining the selection of highly moral professionals with proper incentives for honest service, both current (high salaries, housing, medical care) and future (pension after the end of service, accelerated promotion to special ranks, etc.). In view of the above, a radical change in personal attitudes should become a strategic objective of global public policy. The entire system of ideological measures, educational policy, everyday realities should be reoriented to it.

It is important that all forms of law enforcement were synchronized, corresponded to changing criminal and criminogenic realities. Criminological research plays an important role here. First of all, a criminologist based on research is capable to formulate recommendations on the basic principles of construction and improvement of law enforcement activities in the field of combating organized crime as a single system. He participates in implementation of relevant industry legislation. This is extraordinary relevant when it comes to creating fundamentally new legal institutions, approaches, and specialists are not even ready for perception of the idea of their necessity. Legal decisions have to accept narrow specialists, albeit with the participation of criminologists.

Secondly, a criminologist cannot and should not replace a specialist in criminal law, criminal process, investigative and other activities [3].

However, he is obliged in a timely manner inform these specialists about new phenomena in the criminal world, their reasons and determinations, about the effectiveness of criminal, criminal procedural, criminal executive and other legislation in the field of combating crime. For example, an investigator or police officer is more likely to conduct investigative and operational activities if they know about the peculiarities of organized transnational crime, the kind of relations a suspect or accused may be involved in, and the requirements that may be imposed on them in this environment. Law enforcement officials and judges can predict the behavior of such a person (group of persons), understand that such a person (persons) is wary of how real their fears are, and work with them in a targeted manner. Law enforcement officials and judges can predict the behavior of such a person (group of persons), understand that such a person (persons) is wary of how real their fears are, and work with them in a targeted

manner. If law enforcement officials and judges are aware of the peculiarities of the mechanism of organized criminal activity, they take them into account more fully when deciding on the proof of a crime, the degree of guilt of each member of an organized criminal group, and solve the problems of criminal liability and punishment in a differentiated and more accurate manner in the legal context.

Criminologists' recommendations relate to the study of the criminal's personality, causes and conditions of individual criminal behavior.

The elements of the offensive strategy for combating organized crime discussed above are of a fundamental nature. Without their implementation, society will not be able to count on success in the fight against criminal organizations. In this regard, the scientific and political problem of finding ways for civil society to influence the state in order to force it to take the necessary measures to combat crime is quite relevant. Foreign experience shows that in order to effectively combat organized crime, it is advisable to focus on strengthening the state mechanism of destructive influence on crime and creating social mechanisms that will eliminate the systemic factors that determine the advantages of organized crime, as well as overcoming the priorities of the pace of evolution of the mafia over the pace of evolution of state anti-criminal and anti-corruption structures.

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