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FUNCTIONING OF PRE-TRIAL INVESTIGATION BODIES UNDER MARTIAL LAW

Due to the beginning of a full-scale invasion of the enemy on the territory of Ukraine, many functions of the state have undergone some changes, these changes affected the law enforcement system in particular, but before considering these changes, we suggest to understand what martial law is in general as a legal regime and what exactly is changing for civilians and certified citizens.

Martial law in Ukraine is a special legal regime that is introduced in Ukraine or in some of its localities in the event of armed aggression or threat of attack, danger to the state independence of Ukraine, its territorial integrity.

It is important to note that martial law is a temporary legal regime that is introduced only in the event of a threat to the state independence of Ukraine and its territorial integrity.

In the conditions of martial law, almost all state institutions undergo changes in powers, competences, rights and obligations, orders and procedures.

The National Police is no exception: a significant number of changes have been made to the regulations governing its activities, which regulate the functioning of this body during martial law.

Article 8 of the Law of Ukraine "About the National Police" supplemented by part four, which stipulates that during martial law, the police act in accordance with the purpose and specifics of their activities, taking into account those restrictions on the rights and freedoms of citizens, as well as the rights and legitimate interests of legal entities, determined in accordance with the Constitution of Ukraine and the Law of Ukraine "On the legal regime of martial law".

In general, during the period of martial law, three laws of Ukraine were adopted, which in particular related to the National Police:

1) Law of Ukraine "On Amendments to the Laws of Ukraine "On the National Police" and "On the Disciplinary Statute of the National Police of Ukraine" for the purpose of optimizing police activities, including during martial law.– is temporarily in effect for the period of the introduction of martial law in Ukraine, implementation of measures to ensure national security and defense, repelling and deterring armed aggression of the Russian Federation and/or other states against Ukraine, and 60 days thereafter;

2) Law of Ukraine "On Amendments to the Law of Ukraine "On the Legal Status of Missing Persons" and other legislative acts of Ukraine regarding the improvement of the legal regulation of social relations related to the acquisition of the status of persons missing under special circumstances";

3) Law of Ukraine "On amendments to some laws of Ukraine regarding the assignment of special police ranks during martial law».

The functioning of pre-trial investigation bodies in the conditions of martial law has a number of features that are due to the need to ensure the safety of citizens and the state.

In particular, the peculiarities of the functioning of pretrial investigation bodies under martial law include:

1) Increasing the volume of work. In wartime, there is an increase in the number of crimes related to military actions, as well as violations of the rules of martial law. This requires pre-trial investigation bodies to intensify their work and involve additional forces and means.

2) Limitation of the rights and freedoms of a person and a citizen. In wartime, some human and citizen rights and freedoms may be restricted, including the right to freedom of movement, the right to freedom of assembly and rallies, the right to freedom of peaceful assembly, the right to freedom of association, the right to freedom of speech, the right to freedom of religion, the right to education, the right to work, the right to property, the right to

housing, the right to respect for private life, the right to personal integrity. These restrictions can affect the work of pre-trial investigation bodies, for example, making access to the scene or to victims and witnesses difficult.

3) Strengthening responsibility for crimes. In wartime, enhanced liability is provided for some crimes, for example, treason, espionage, sabotage, terrorism, violation of the rules of war. This requires special attention from pretrial investigation bodies to the investigation of such crimes [1].

To ensure the effective functioning of pre-trial investigation bodies under martial law, a number of legislative acts were adopted, in particular:

–The Law of Ukraine "On the Legal Regime of Martial Law" defines the legal basis for the introduction and operation of state authorities, local self-government bodies, enterprises, institutions and organizations, citizens' associations, as well as the rights and obligations of citizens and legal entities during martial law.

–The Law of Ukraine "On Amendments to the Criminal Procedural Code of Ukraine and other legislative acts of Ukraine regarding the functioning of pre-trial investigation bodies in conditions of martial law" made changes to the Criminal Procedural Code of Ukraine, which provide, in particular, the possibility of applying stricter preventive measures, limiting the right to defense, reduction of pre-trial investigation terms, etc. [2].

Thanks to these legislative acts, pretrial investigation bodies have the opportunity to effectively perform their functions under martial law and ensure the protection of the rights and freedoms of citizens.

Here are some specific measures taken by pretrial investigation bodies to ensure effective functioning under martial law:

–Creation of interdepartmental investigative groups. Such groups may include representatives of various law enforcement agencies, which allows more effective investigation of complex crimes.

–Involvement of additional forces and means. In wartime, additional investigators, prosecutors, judges, and specialists from other fields may be involved in the investigation of crimes.

–Using the latest technologies. Pre-trial investigation bodies implement modern technologies, in particular video conferencing, artificial intelligence, to ensure effective investigation.

Measures taken by pre-trial investigation bodies under martial law are aimed at ensuring law and order and the safety of citizens, as well as at bringing to justice persons who have committed crimes.

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FIGHTING TRAFFICKING IN HUMAN BEINGS IN UKRAINE

Human trafficking was first recognized as a global problem in the twentieth century. At that time, it became necessary to develop systematic approaches to combat this phenomenon. A number of important international instruments to combat labor trafficking were adopted in the first half of the twentieth century.

Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation [3]. This is the definition of human trafficking provided by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplements the UN Convention against Transnational Organized Crime.

Today, under martial law, the risk of falling into a situation of human trafficking both inside and outside the country has become even greater for Ukrainians. Many citizens have moved from the war zone to other regions or abroad and are looking for new jobs. While the term "human trafficking" used to cover mostly sexual slavery, today it has taken on a wide range of forms, from labor exploitation to illegal organ transplantation.