

**INTERNATIONAL EXPERIENCE OF LAW ENFORCEMENT ACTIVITIES
AND ITS REFLECTION IN FIRE TRAINING****МІЖНАРОДНИЙ ДОСВІД ПРАВООХОРОННОЇ ДІЯЛЬНОСТІ
ТА ЙОГО ВІДОБРАЖЕННЯ В ВОГНЕВІЙ ПІДГОТОВЦІ**

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The article examines the foreign experience of organizing the activities of law enforcement agencies. It was determined that the field of law enforcement is constantly in a state of dynamic transformation and improvement, which to some extent reflects the focus of fire training of specialists in this field.

It is also stated that according to modern requirements, maintaining the rule of law is one of the most important tasks of the state, therefore, in the organization of the work of law enforcement agencies, the implementation of international experience is one of the most important tasks of the rule of law. One of the modern trends in the development of the legal system is its openness, which determines the possibility of using advanced foreign concepts for the implementation of generally recognized international principles, norms and standards of training specialists.

It was found that abroad, as well as in Ukraine, the reform of law enforcement bodies is a part of administrative reform, and the direction of its implementation often depends on the general goals of public administration reform. The goal of most reforms in foreign countries is: increasing the efficiency of national systems; turning the country into a responsible employer, able to attract a sufficient number of workers with the necessary qualifications, controlling the costs of their maintenance; increasing the trust of the private sector and citizens in state institutions.

The role of fire training of specialists in law enforcement activities is identified.

Key words: international experience, law enforcement activity, fire training, model, international standards.

У статті розглянуто зарубіжний досвід організації діяльності правоохоронних органів. Визначено, що сфера правоохоронної діяльності постійно перебуває в стані динамічної трансформації та вдосконалення, що певною мірою відображає спрямованість вогневої підготовки фахівців у цій галузі.

Також зазначено, що за сучасними вимогами підтримання верховенства права є одним із найважливіших завдань держави, тому в організації роботи правоохоронних органів імплементація міжнародного досвіду є одним із найважливіших завдань правової держави. Однією із сучасних тенденцій розвитку правової системи є її відкритість, що визначає можливість використання передових зарубіжних концепцій для реалізації загальновизнаних міжнародних принципів, норм і стандартів підготовки фахівців.

З'ясовано, що за кордоном, як і в Україні, реформа правоохоронних органів є частиною адміністративної реформи, і напрям її реалізації часто залежить від загальних цілей реформи державного управління. Метою більшості реформ у зарубіжних країнах є: підвищення ефективності національних систем; перетворення країни на відповідального роботодавця, здатного залучити достатню кількість працівників необхідної кваліфікації, контролюючи витрати на їх утримання; підвищення довіри приватного сектора та громадян до державних інституцій.

Визначено роль вогневої підготовки фахівців у правоохоронній діяльності.

Ключові слова: міжнародний досвід, правоохоронна діяльність, вогнева підготовка, модель, міжнародні стандарти.

Statement of the problem: Today, in the context of the modernization of the entire civil service system in Ukraine, the reform of law enforcement agencies, their integration into the law enforcement system of foreign countries, there is a need to improve the law enforcement agencies of Ukraine, optimize the training of personnel, especially managerial personnel, and implement systemic changes in the legal regulation of professional activity and social provision of workers. At the current stage of reform, it is important to build a model that best meets the requirements of international standards and national interests.

The main vectors of our research were the countries of the European Union and highly developed countries. It was determined that the need to establish communication with law enforcement agencies of foreign countries is becoming important. The application of the experience of the countries of the European Union is possible in terms of creating specialized law enforcement agencies, expanding the range of powers of representatives of the Bureau of Economic Security, using common resources, and establishing cooperation in the training and retraining of law enforcement agencies [1, p. 5].

Experience in the organization of law enforcement agencies in European countries. The sphere of law enforcement activity is constantly in a state of dynamic transformation and improvement, which to some extent reflects the direction

of national legislation and the implemented policy. Reforming the system of law enforcement agencies of Ukraine is not possible without taking into account modern trends in the development of law enforcement systems of foreign countries.

Analysis of recent research and publications. The issue of the development of law enforcement systems in the countries of the world was raised in the works of domestic scientists, in particular: V.B. Averyanov, O.F. Andriyko, M.I. Anufriev, D.M. Bakhrach, Yu.P. Bityak, S.V. Bobrovnyk, V.I. Borisov, I.L. Borodin, S.D. Husarev, I.P. Golosnichenko, E.V. Dodin, V.O. Evdokimov, A.P. Zayets, R.A. Kalyuzhnyi, V.V. Kovalenko, L.V. Koval, I.B. Koliushko, L.M. Kolodkin, M.I. Kozubra, A.M. Kolodiy, V.V. Kopechikov, O.L. Kopilenko, V.K. Kolpakov, A.T. Komzyuk, M.V. Kornienko, V.S. Kuybida, L.R. Nalyvaiko, O.V. Negodchenko, V.I. Olefir, V.L. Ortynskyi, A.Yu. Oliynyk, P.M. Rabinovych, Yu.S. Shemshuchenko, O.G. Shilo, V.K. Shell and others.

Considering the significant contribution of domestic and foreign scientists to the issue of the development of law enforcement systems of other countries, a number of problematic issues remain unresolved today.

The purpose of the article is to analyze the peculiarities of the international experience of law enforcement and its reflection in fire training.

Summary of the main material: Considering the understanding of «law enforcement activity» in a broad sense, it can be noted that this is the activity of all state and non-state institutions, the purpose of which is to ensure compliance with the rights and freedoms of citizens, their implementation, and ensuring legality and law and order. «Law enforcement activity» in the narrow sense is interpreted as the activity of special state and non-state bodies, the purpose of which is to protect the rights and freedoms of citizens, to ensure order and legality in the state [3, p. 31-32].

V. Bashtannyk, Yu. Zemlyakov believe that law enforcement activity is related only to the elimination of obstacles in the process of realizing the rights and freedoms of citizens, and crime prevention is an independent type of activity that is not part of law enforcement [1, p. 7]. The goal of law enforcement, as a special security tool of the state, is aimed at preventing the occurrence of conditions and causes of possible and committed socially dangerous phenomena, stopping their development and liquidating the consequences. Therefore, all its directions, forms and actions have a direct or indirect impact on the protection of the entire system of human rights.

By carrying out public-authority procedures, law enforcement agencies influence the behavior of subjects of legal relations through the use of permits, prescriptions, prohibitions, control over their compliance and implementation of legal responsibility and thus ensure the protection and protection of the rights of a natural or legal person. Law enforcement activity begins from the moment of the need to apply a legal norm, subjective rights or freedoms and ends with their full legal implementation. In the scientific literature, the functions of the legislative and executive branches of government, institutions of civil society and presidential bodies are formed.

It should also be emphasized that the subjects of law enforcement are: the state, some public organizations and associations, individual citizens who have certain powers on behalf of the state, taking into account the appropriate distribution of competences, forms and means of implementation [2, p. 21-23].

Most of the reforms of foreign countries were aimed at increasing the efficiency of national systems; to turn the country into a responsible employer, able to attract a sufficient number of workers with the necessary qualifications, controlling the costs of their maintenance; increase the trust of the private sector and citizens in state institutions. Ukraine has chosen the path of forming a legal state, such changes are necessary for the interests of the state and society. Understanding the issues of regulation and provision of the law enforcement sphere determines new, high-quality and effective strategies for the organization and activity of law enforcement agencies.

According to V.M. Beschatsky regarding the fact that the study and reference to foreign experience does not mean its direct copying and transfer into practice, it is mandatory to take into account the national mentality [3, p. 219]. We also support S.G. Bozhka, who claims that the experience of developed European countries, primarily France, Great Britain, Italy, Austria, Germany, deserves attention, however, it is necessary to take into account the fact that the historical traditions of legislation and law enforcement activities had a great influence on their formation and development, peculiarities of socio-economic and cultural development of each country, the general culture and legal awareness of the population, the level of interaction with state bodies and institutions of civil society, material support and other important factors [4, p. 31]. At the same time, any country has its own specifics and peculiarities of the organization of activities related to ensuring law and order, public safety, and fighting crime in all its manifestations. Banchuk argues that the difference in lawmaking in Ukraine and Western countries is that we try to over-define our legislation to fill every tiny gap, which has led to an accumulation of often conflicting norms.

However, in the West, when lawyers find gaps or conflicts, they turn to legal principles, and Ukraine has not yet reached this level [5, p. 146].

In the field of law enforcement, primarily international standards of law enforcement agencies should play a significant role, in particular, Resolution of the Parliamentary Assembly of the Council of Europe No. 690 (1979), Recommendation of the Committee of Ministers to the member states of the Council of Europe Rec (2001) [7, p. 90-91], etc.

It is generally accepted that law enforcement agencies are created by the state to ensure the rights and freedoms of people and citizens. Such activity is based on general standards of human rights and has the character of services, service, servicing character. Abroad, as well as in Ukraine, the reform of law enforcement bodies is part of the administrative reform, so the direction of its implementation often depends on the general goals of the reform of public administration.

The motive of most administrative reforms in foreign countries is the need to fulfill a number of tasks, namely: – increasing the efficiency of the system of state bodies; – transformation of the state into a responsible employer, able to attract a sufficient number of employees with the necessary qualifications and at the same time control the costs of their maintenance; – increasing trust in the state on the part of the population and the private sector.

There are three models of ensuring internal security in EU countries: Centralized or continental model, in which the main (dominant) role is given to the Ministry of Internal Affairs with imperative management, and some units are strictly vertically subordinated to the central government. The centralized (continental) model of the system of ensuring internal security, which functions in the countries of continental Europe, exists in two types:

1) Civilian police units provide internal security (Norway, Denmark, Finland, Ireland, Sweden – they are characterized by a low level of crime and the absence of serious political and social conflicts, so they do not need specialized law enforcement units).

According to the considered model, a significant shortcoming in the organization of the activities of law enforcement agencies is the focus on solving national problems and insufficient consideration of the interests of individual territorial communities.

Decentralized model, which is characterized by the absence of a single state body, there are law enforcement bodies at the national, regional and local levels, the predominant concentration of control levers in the hands of regional bodies of state power and local self-government, a significant role of municipal authorities in the management of law enforcement bodies is highlighted;

The combined (semi-centralized) model is characterized by the following features: 1). National (federal) and regional (that is, individual district or zemstvo) law enforcement services coexist, but priority in rights is given to state law enforcement agencies. Many post-socialist countries in Central and Eastern Europe have maintained a model of centralized police management for a long time. This was connected with the traditions of ensuring public order.

The disadvantage of the centralized system of France was that the activities of law enforcement units focused primarily on solving national problems without due consideration of the interests of various regional communities (communes). This involved, in particular, the introduction of a new authorized body to replace the traditional French body of prefects – commissariats.

A peculiar centralization of the organization of the management process can be observed within special branches of the ministry – directorates or departments, to which all branch services are directly subordinated. The decentralized (fragmentary) model is characteristic of countries where the fear of possible abuse of power by national security forces

has led to the creation of a number of independent agencies at the regional and local levels.

In the EU countries, the decentralized model of law enforcement activities, organized according to the principle of self-government, is preserved only in Switzerland. There is no centralized and unified state law enforcement agency in the country, and the number of law enforcement agencies and the principles of their activity are determined by individual local (cantonal) authorities. Partial decentralization of law enforcement activities is observed in the Czech Republic, Bulgaria, and Romania. Organizational structures of law enforcement systems in Poland and Hungary have a low level of decentralization.

The combined (integrated) model of police management is used in Great Britain, Germany and the Netherlands, which combines the characteristics of the above two models. Thus, in Great Britain, the law enforcement system is based on a combination of powers of the state and local self-government bodies in the field of law and order [6, p. 134-135].

The study of the foreign experience of the formation of the law enforcement service of the states representing the main modern political and legal systems confirms that the approaches in its organization are closely related to their historical traditions and culture. Studies of the public service system of the USA, Great Britain, France, Germany, Italy, Finland, Sweden, and China show that law enforcement bodies and public (state) service in positions in these bodies, on the one hand, are organized on the general principles of public service organization, with other – take into account the specifics and nature of law enforcement activities.

It is believed that the introduction of European standards of public administration will objectively contribute not only to the clear definition of the main path to the optimization of law enforcement activities in Ukraine, but also to the implementation of the most effective organizational and legal forms in the practice of managing bodies and units of the law enforcement system.

Therefore, the implementation of law enforcement activities by the relevant authorized subjects ensures the personal safety of a person, a person, a citizen, as well as the safety of the entire civil society, the state. At the same time, let's separately pay attention to the fact that this kind of security is the result of the rule of law in all spheres of society's life. That is, with the help of law enforcement activities, the state guarantees the implementation of the established regulatory and legal prescriptions. Ensures the implementation of the requirements of regulatory and legal acts by all subjects of law [8, p. 247].

Thus, the practical implementation of the specified priorities in the activity of law enforcement systems of modern countries acts as the main political and legal mechanism for preventing and solving social and political problems. This circumstance must be taken into account in the further processes of building Ukrainian statehood. After all, despite significant shifts in the direction of the formation of the rule of law, there remain factors in Ukraine that significantly inhibit the development of civil society and the development of the rule of law.

Among them are corruption, distrust of the population in the authorities, imperfect legislation, the harsh nature of political confrontation in society, delays in the functioning of the law enforcement system, and some shortcomings in the training of law enforcement officers.

Let's consider the reflection of the international experience of law enforcement activities in fire training. Fire training is an independent discipline and at the same time is part of the system of professional and physical training of law enforcement officers as a constituent part. In turn, it is closely and inextricably linked with other special disciplines [8, p. 248].

The main direction of the development of fire training is the search for means and methods, as well as effective ways

of improving skills and abilities, aimed at bringing the quality of professional training to modern requirements. The formation of professional knowledge, abilities and skills of future officers is impossible without the use of modern forms and methods of training and the use of the latest technologies.

The peculiarity of fire training is determined by the fact that it is necessary to use training time, material support and teaching methods as efficiently as possible [4, p. 33]. Mastering fire training involves arming yourself with special theoretical knowledge and the formation of special abilities and skills. In other words, a student/cadet must acquire a permanent skill – the habit of using a weapon during his studies.

Also extremely important in modern conditions is the use of international innovative forms, teaching methods and the latest scientific and technical means.

For further improvement and development of skills, as well as in order to bring classes closer to real conditions, it is necessary to perform exercises that reproduce various situations and simulate the use of weapons.

To carry out such practical classes, it is necessary to organize interdepartmental classes together with teachers of physical and tactical training. The basis of modern methods in practical departments in the educational process is complex simulation or simulation-game modeling of the activities of law enforcement agencies in various conditions, namely reproduction in training conditions with one or another degree of correspondence of the processes taking place in the real system.

Building models and organizing the work of students/cadets makes it possible to reflect various types of professional activity in the educational process and to form professional and specialized competencies in service conditions. Complex simulation, or simulation-game modeling, is an analogue of professional activity: the more complex it is, the deeper the process of becoming a professional of the participants, the richer is the potential of professionally specialized competencies and opportunities of the learner [9, p. 38].

Modeling of typical situations in the educational process implements the principles of rational organization of activity in the profession and gives space for self-expression, satisfies its participants, stimulates their independence and activity, the need to acquire professional competencies necessary in practical professional activity.

Conclusion: Therefore, it can be stated that law enforcement activity is the activity of the state, which is carried out by specially authorized bodies and aims to protect the law, apply legal measures of influence and observe the order in accordance with the current Law. The importance of foreign experience for reforming the law enforcement system of Ukraine lies in the following features:

- firstly, the advanced mechanisms of combating crime should be used in the formation of institutional, legal, organizational, informational and other components of reform;
- secondly, for the purposes of combating cross-border crime, the mechanism of interaction with law enforcement agencies of foreign countries is important;

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