

ADMINISTRATIVE AND LEGAL SUPPORT OF POLICE MANAGEMENT IN THE CONTEXT OF ECONOMIC INTEGRATION

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Abstract. The *subject* matter of the study is the conceptual, theoretical, empirical and methodological foundations of legal and economic aspects of administrative and legal support for the management of police activities in the context of economic integration. *Methodology.* The study uses general scientific and special methods of cognition. The dialectical method was used to analyse the essence of police management in the context of economic integration in both the legal and economic dimensions in a wide range of parameters. The analysis provided the basis for a multidimensional study of all the characteristic features of police management in the context of economic integration in economic and legal etymology. The synthesis created the basis for generalising the characteristic features of this police activity as a law enforcement agency. The formal legal method allowed for an accurate interpretation of the legal provisions defining the general and special legal framework for administrative and legal support of police management in the context of economic integration. The *article aims* at defining the essence of administrative and legal support for management of police activities in the context of economic integration and developing proposals for its improvement. The *results* of the publication show that the administrative and legal support of police management in the context of economic integration covers a number of comprehensive measures in various areas of activity of the relevant police unit, primarily aimed at ensuring economic security. The paper identifies areas for improving the administrative and legal support of police management in the context of economic integration, with a significant emphasis on lawmaking. *Conclusion.* In the context of economic globalisation, so-called transnational crimes play a significant role, including the creation of and participation in organised criminal groups, corruption offences, obstruction of justice, and money (income) laundering. The National Police of Ukraine is taking a number of measures to counteract unlawful manifestations in the economic sphere, which are largely components of transnational crime, by implementing appropriate management measures. In the context of administrative and legal support of the National Police, the article examines the structural elements of transnational crime and the powers of the police in this area. Some aspects related to combating crimes committed by organised groups and criminal organisations, corruption offences, economic crimes and the prevention of economic crime were highlighted. In order to overcome the negative manifestations of economic crime in the conditions of economic integration, relevant measures have been proposed, including: participation in legislative work, which should primarily incorporate the best practices of the international community in this area; development of the concept of service activities, which mediate the form and content of law enforcement activities in the economic sphere; improvement of management activities in combating manifestations of corruption in the economic sphere; creation of a qualified personnel potential in the relevant units of the National Police, whose activities are aimed at ensuring economic security in accordance with the above directions, etc. The paper provides proposals for improving the legislative definition of the concept of economic security and delineating the competence of national security entities in this area, including police units.

Key words: administrative and legal support, police management, National Police, economic security, corruption, economic integration.

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1. Introduction

Modern phenomena of globalisation, integration, cultural assimilation, transformation of various social, economic, political and legal structures are inherent attributes of the information society. In this era, no community can isolate itself within a certain territory, nation or ethnic group, as the speed and form of information dissemination are closely linked to the level and development of communication channels. At a time when scientific and technological progress is driving global development, these phenomena are undeniable and inextricably linked to all aspects of human activity. Today's world is marked by the digitalisation of various segments of social life, including those that mediate the satisfaction of fundamental human needs. Such needs include security, which is ensured by legal mechanisms, and the need for basic material goods, which is ensured by economic processes.

Obviously, the economy, as a sphere of redistribution of resources, determination of property rights, and regulation of the transition from one political and legal regime to another, cannot stay away from these processes. This is especially true in the context of the transition from extensive to intensive forms of management. In the information society, where various forms of digitalisation affect economic processes and production sectors, integration plays an important role. This entails the interaction of national economic systems, which adopt the characteristics of the global economy aimed at meeting the needs of humanity, while taking into account the contribution of a particular national community. These phenomena not only affect the global economic organism, but also have a reciprocal effect on the national economy of a particular country.

Law enforcement and law enforcement activities are directly related to the economic phenomena of the aforementioned etymology, as they influence and are influenced by various economic processes. The National Police occupies a significant place among the subjects of law enforcement and law enforcement activities. As a central executive body, the National Police is responsible for ensuring human rights and freedoms, combating crime, and maintaining public security and order. Only in the conditions of proper public order and protection from illegal actions can there be a sense of well-being, which includes both intangible and material aspects. In this context, effective police activity, closely linked to its administrative and legal support, is of paramount importance.

It is clear that the issue of administrative and legal support for police management in the context of economic integration has been the subject of research by various scholars not only in the legal and law enforcement spheres, but also in the economic, socio-

political and moral dimensions. Researchers who have examined aspects of the activities of law enforcement agencies include S. Svirko and I. Suprunova, who have studied the influence of the shadow economy on budgetary security and the role of law enforcement agencies in combating these phenomena (Svirko and Suprunova, 2020); I. Gontareva, who studied the risks posed by the shadow economy as a social phenomenon and measures to prevent it (Gontareva, 2018); O. Nipialidi, who studied the activities of law enforcement agencies in the prevention of economic crimes (Nipialidi, 2020); S. Ruvin, who considered the influence of the level of legal protection of social morality on the axiological component of legal relations and law enforcement activities (Ruvin, 2023).

Legal scholars have also examined the administrative and legal support of police management in various dimensions, including the content and forms of law enforcement activities in protecting economic security (Harust and Melnyk, 2019), the competence and authority of law enforcement agencies in protecting investments in Ukraine (Fesenko, 2020), the administrative and legal status of law enforcement agencies as subjects of the economic security system (Melnyk, 2020), the role of law enforcement agencies in protecting economic activities against organised crime (Antonenko, 2022), and the place of corrupt offences in the structure of crime in contemporary Ukraine and the world, as well as their impact on the activities of law enforcement agencies (Arkusha et al., 2019).

The above considerations provide the basis for a more detailed study of the issue of administrative and legal support for the management of police activities in the context of economic integration, which is the main purpose of this paper.

2. Administrative Activities of the Police in the Context of Economic Integration

Economic integration involves the interpenetration of various geopolitical institutions beyond the geographical and ethnopolitical boundaries of the respective social communities. Obviously, these processes have a significant impact on the economic sphere, which is directly or indirectly related to law enforcement, one of the main subjects of which is the National Police.

The economy, as a branch of human activity associated with the production, consumption, distribution and exchange of certain goods that have direct or indirect material value, occupies perhaps the most important place among these phenomena. Simultaneously, law and law enforcement, as practical manifestations of the former aimed at maintaining public order, determine the fundamental vectors

of economic processes in a civilised society. They balance private and public interests by improving the mechanism of legal regulation of these relations.

In the context of economic globalisation, transnational crimes that meet one of the criteria set out in Article 3(2) of the United Nations Convention against Transnational Organised Crime play a significant role: 1) committed in more than one state; 2) committed in one state, but a significant part of its preparation takes place in another state (planning, direction or control); 3) committed in one state, but involving an organised criminal group that is engaged in criminal activity in more than one state; 4) committed in one state, but having significant consequences in another state (UNTOC, 2000). Indeed, based on these criteria, the share of criminal offences under the jurisdiction of the National Police can be classified as transnational, taking into account factors such as migration and other manifestations of globalisation in the modern world.

It is worth noting that addressing the problem of transnational organised crime was extremely important, which led to the adoption of the United Nations Convention against Transnational Organised Crime. This convention was aimed at improving the fight against crimes such as the establishment of and participation in organised criminal groups, corruption, obstruction of justice and money laundering. It emphasised the need to interpolate all these manifestations of crime that could be characterised as transnational. The Convention aimed to unify the normative and legal basis for combating transnational crime and to implement international legal norms in the fight against transnational organised crime into domestic legislation (Popko, 2019).

Another study recognises transnational organised crime as a negative consequence of the economic globalisation of the global community (Sidorov and Zdorovko, 2017). As this study is of an integrated economic and legal nature, it reflects both the economic and legal aspects of this phenomenon. In the economic context, it develops Manuel Castells' view on identifying the key conditions that led to the emergence of the capital market: liberalisation of financial markets, development of information technology, introduction of innovative financial instruments and improvement of existing ones, signs of speculative capital flows that sometimes go beyond the limits of the civilised market, development of firms engaged in international market trend assessment. In the legal context, the authors support the distinction of transnational crimes such as human trafficking, illicit drug trafficking, money laundering, theft of art and cultural objects, theft of intellectual property, cybercrime, fictitious bankruptcy, corruption and bribery of public and party officials, elected officials, infiltration of legitimate businesses,

terrorism, aircraft hijacking, illegal arms trade, piracy on land transport, illegal trade in human organs, fraud on land transport, and environmental crimes.

For a proper understanding of the described processes, there is a need to study static indicators, including in terms of the subject of this study. Thus, a brief overview of the National Police of Ukraine's report on the results of its work in 2021 allows to make the following generalisations that directly or indirectly affected transnational crime and economic phenomena in the country. Primarily, among other law enforcement agencies, the National Police of Ukraine during the reporting period implemented a range of measures to counteract illegal activities in the economic sphere through various management actions. This is a wide range of measures aimed at combating organised criminal groups and criminal organisations whose activities hinder political, legal, social and economic reforms, impede the establishment of the rule of law and civil society, create obstacles to Ukraine's European and international integration, and threaten the economic security of the state. In light of the above, it is emphasised that police units are taking effective measures to neutralise organised criminal groups and criminal organisations and reduce their influence on the political, economic and security situation in the country.

Indeed, the activities of the National Police of Ukraine in 2021 produced several notable results in the fight against transnational crime and various economic issues.

First, the report refers to the disruption of 428 organised groups and criminal organisations, including 61 with interregional ties, 9 with transnational links and 37 ethnically-based criminal groups. In addition, 62 criminal cases were opened on the facts of creating criminal organisations and 18 on the creation of gangs. In addition, 109 organised groups and criminal organisations involved in drug trafficking and 11 in arms trafficking were exposed. It is worth noting that the number of individuals associated with these criminal groups and organisations has increased, and the total number of crimes committed as part of such groups has increased by 16%. As part of its efforts to counter the leaders of such organised groups and criminal organisations, the National Police has served 122 individuals with suspicions of increased criminal influence.

Second, in the fight against the distribution of drugs, psychotropic substances, their analogues or precursors, in particular through the Internet, the National Police has improved its efforts during this period. This has resulted in a 30% increase in drug sales, much of which is carried out via the Internet. Around 2,800 drug dealers were detained, and preventive measures were taken against 1,300 offenders.

The number of investigations into drug trafficking increased by over 27%, and over 2,900 Telegram channels involved in drug sales were blocked using the relevant software.

Third, there are other results of the National Police's activities in combating the above-mentioned components of transnational crime, namely: almost twice as many cybercrimes were detected, including an increase in the number of crimes in the banking sector (by 44%), online fraud (by 42%) and in the field of computer systems (by 36%); 12% more documented and almost 1.5 times more suspected crimes related to human trafficking; more than 3.9 thousand criminal offences related to illegal handling of weapons, ammunition or explosives, illegal manufacture, processing or repair of firearms or illegal manufacture of ammunition, explosives, explosive devices were detected and 3.5 thousand criminal offences were stopped.

Fourth, in the context of the above indicators of the National Police of Ukraine in 2021, the trend towards an increase in the total number of detected criminal offences is noteworthy, with a 9% increase in the number of detected grave and especially grave types of offences. At the same time, the effectiveness of the measures taken by the police to prevent crime is noted, which has led to a reduction in a number of mercenary and violent crimes: by 35% in robberies, 29% in burglaries, 18% in thefts (42% in pickpocketing and 26% in apartment burglaries, respectively), and 36% in vehicle thefts (Report of the National Police of Ukraine on the results of work in 2021).

Fifth, along with the above law enforcement statistics, it is important to recognise efforts to combat corruption both in society and in the management of the National Police.

In this context, it is very important to consider the views of various scholars who emphasise the significant impact of corruption as a negative social phenomenon on the formation of the shadow economy at both the international and national levels. This influence has led to the emergence of concepts such as the "informal economy", "hidden economy" and "criminal economy" (Blank and Batrakova, 2016). Furthermore, there are comprehensive studies on the multifaceted impact of corruption on all areas of economic well-being in any community (Corruption: Cost and Mitigating Strategies, 2016). Additionally, one of the main manifestations of corruption as a derivative offence is the legalisation (laundering) of the proceeds of crime (Parfentiy, 2022).

And finally, a complex concept in the field of police management in the context of economic integration is the issue of ensuring economic security as a sphere of full-fledged well-being of society and the population, provided that the most

favourable socio-economic space is created for the existence of all social institutions that ensure the interests of each person, as well as the public interest of the whole society.

The concept of economic security encompasses various negative legal and socio-economic factors in the context of international integration, such as separatism, cybercrime, corruption, economic and financial threats, energy crises and the COVID-19 pandemic (Nikitin, Tarasenko, Dubenko, 2022). These challenges are reflected in relevant statistical indicators of a socio-economic and legal nature.

Thus, police governance in the context of economic integration is determined by the interaction of various geopolitical institutions that go beyond the geographical and ethnopolitical location of the respective social communities. Law and law enforcement, as the legal application of the former to ensure public order, determine the fundamental vectors of economic processes in a civilised society. They serve to ensure both private and public interests by improving the mechanism of legal regulation of such relations in favour of reaching a compromise between them. In this process, the National Police plays a significant role in identifying negative factors affecting the socio-economic development of society, in particular by preventing the spread of transnational crime. The presented analysis of statistical data highlights the significant contribution of the National Police as a law enforcement agency to ensuring the sustainable functioning of economic institutions at both the international and national levels.

3. Administrative and Legal Support of Police Management in the Context of Economic Integration

Taking into account the above-mentioned components of transnational crime as a factor influencing police governance in the context of economic integration, it is worthwhile to focus on some of them, given the existing empirical and theoretical basis. Moreover, given the complexity of the subject matter and the scope of this work, it is appropriate to highlight certain aspects, from more significant to less significant, in terms of the importance of their impact on the social relations to which this phenomenon relates and their relevance in the current situation. These include issues related to the preservation of the national identity and originality of the Ukrainian people and the independence of the Ukrainian state.

In this regard, it is important to study the administrative and legal support of the National Police as a subject of economic security. This is due to the

fact that this area of law enforcement activity within the framework of national security is currently of paramount importance due to the open aggression against Ukraine in various forms, including in economic aspects.

Until recently, the structure of the National Police of Ukraine included the Department of Economic Protection, which, among other functions: 1) participated in the formation and implementation of state policy in the field of combating crime, protecting the economy and property rights; 2) ensured the detection, prevention and suppression of economic crimes, including those committed by socially dangerous organised groups and criminal organisations that affect the socio-economic and criminal situation in the country and in certain regions; 3) counteracted corruption and bribery in industries of strategic importance for the country's economy, including among officials of state authorities and local self-government bodies; 4) took measures to counteract corruption and corruption-related offences; 5) ensured the identification of causes and conditions that facilitate the commission of offences in the economic sphere and took measures to eliminate them (The Order of the National Police of Ukraine "On Approval of the Regulation on the Department of Economic Protection of the National Police of Ukraine" of November 07, 2015, No. 81). In essence, this department mainly dealt with transnational crime at the national level, as discussed above.

However, with the establishment of the Strategic Investigations Department of the National Police (The Order of the National Police of Ukraine "On Approval of the Regulation on the Department of Strategic Investigations of the National Police of Ukraine" of October 23, 2019 No. 1077) and the Bureau of Economic Security (The Law of Ukraine "On the Bureau of Economic Security of Ukraine"), the functions and powers of the Economic Security Department of the National Police were divided between these units. Scholars provide a number of arguments regarding the inadequate definition of the legal status of the Bureau of Economic Security in the current Ukrainian legislation due to insufficient regulation of the essence of the concept of economic security, delimitation of its powers with other entities, and definition of a number of other functional, procedural and procedural issues. Nevertheless, it is emphasised that this step is important for the introduction of an organisation that would consolidate various means of implementing state policy and ensure transparency and public control over the activities of law enforcement agencies in the economic sphere (Terekhov, 2022). This point of view has a solid basis, which creates the conditions for appropriate legislative changes. In particular, it

would be opportune to introduce legislative changes that would provide a definition of economic security within national security as a state of protection against the negative impact of various external and internal factors on all branches of an organisation's economic activity, with the aim of ensuring its effective functioning within the corresponding level of legal subjectivity. At the same time, it is necessary to clearly define the legal subjectivity of all law enforcement bodies in ensuring economic security, including certain units of the National Police.

The specialised unit of the National Police in this area, namely the Department of Strategic Investigations, in the framework of this study: 1) identifies, stops and prevents illegal activities of socially dangerous organised groups and criminal organisations; 2) takes measures aimed at coordinating the activities of police units in the field of counter-terrorism within the competence defined by the current legislation; 3) ensure the fight against corruption among officials, including taking measures aimed at detecting corruption and corruption-related offences and their suppression; 4) conduct operational and investigative activities aimed at obtaining information on criminogenic processes in the criminal environment related to the illegal activities of individuals and criminal groups, as well as on schemes for legalisation (laundering) of proceeds of crime; 5) provide for the organisation and implementation of measures to protect law enforcement officers in accordance with the current legislation, ensure the safety of participants in criminal proceedings, their family members and close relatives of these persons. These powers also fall within the scope of this study. In this regard, there is a fairly well-reasoned view that this unit dominates the structure of the National Police as the main subject of this body in terms of carrying out relevant law enforcement activities in the economic sphere (Melnyk, 2020).

The literature discusses in detail the range of issues within the competence of this unit of the National Police, in particular in the field of combating organised crime, taking into account the challenges faced by Ukrainian society under martial law (Antonenko, 2022). The focus is on creating an appropriate legal framework to ensure an efficient economic model based on free competition and the rule of law. One of the directions of improving the fight against organised crime is to protect the economy from criminal activity of criminal groups in the field of economic activity, including amendments to criminal legislation on crimes against the economic order, for example, recognising the scope of such crimes, establishing the limits and types of punishment, classifying them as crimes or misdemeanours, taking into account various qualifying features related to their commission in

complex forms of complicity (as part of organised groups and criminal organisations).

The remaining offences committed in the economic sphere are the subject of the activities of a number of other units of the National Police. Undoubtedly, the creation of a proper legal framework for the exercise of powers of any entity entrusted with the task of ensuring economic security is an integral part of effective activity in this, and not only, area of public administration. Therefore, the above considerations are quite reasonable, since violations in the field of economic activity constitute a significant layer of money laundering and create preconditions for the manifestation of other sectors of transnational crime.

Another group of offences directly related to organised crime is corruption, which also falls within the scope of the National Police. It is advisable to distinguish between the functionality of the National Police units in terms of their general and special legal personality within the competence of internal security units, strategic investigation departments and others. This differentiation serves as a basis for distinguishing between measures aimed at overcoming corruption risks, which include general, specific and local approaches. According to the authors, each of these groups extends its influence to all subjects in the field of anti-corruption legal regulation, including all units of the National Police, employees of the corresponding territorial police authority through the content of the anti-corruption programme of this unit over a certain period, within the relevant law enforcement (police) unit in the structure of the territorial authority, mediated through the anti-corruption programme of this unit (Denysova et al., 2023). In other words, the National Police, as a subject of combating corruption, takes external and internal measures against this shameful phenomenon for modern society, which has become widespread in all public spheres and law enforcement agencies.

There is some overlap between the National Police's economic security activities and its responsibility for investment protection, as noted by some researchers (Fesenko, 2020). Obviously, investment security is the key to economic security. Hence, it is advisable to highlight the problems in this area, including the insufficient capacity of the relevant law enforcement agencies to respond to changes in economic relations, the lag in the development of legal procedures for responding to investment security violations from the mobility of business entities in carrying out relevant export-import operations, ineffective control over public procurement, and other issues. Some of these factors have already been mentioned in this study earlier.

In addition to the above-mentioned areas of competence of the National Police, in the context of economic integration, a significant segment of its activities is focused on the prevention of relevant offences, as emphasised by O. Nipialidi (Nipialidi, 2020). Within the framework of the prevention of economic crime, negative trends in the spread of economic crime in Ukraine have been identified, which require appropriate measures to be taken in addition to the police and other public authorities. These trends include significant gaps in the regulation of economic relations, inefficiencies in the control of state procurement, lobbying for the interests of certain producers, low efficiency of state anti-corruption measures, and the absence of a comprehensive legal framework for combating economic crime. Some of these factors have already been mentioned in this study.

As for the role of the police in overcoming these phenomena, it is necessary to note the role of the police: 1) participation in legislative work, which should primarily incorporate the best achievements of the international community in this area; 2) development of the concept of services that mediate the form and content of law enforcement in the economic sphere; 3) establishment of mechanisms for cooperation with relevant authorities at the national and international levels; 4) improvement of management activities in the area of combating corruption in the economy; 5) formation of a subordinate regulatory framework for combating economic crime, taking into account existing developments and applying the parameters of relevant corruption risks; 6) creation of appropriate human resources in the relevant units of the National Police, whose activities are aimed at ensuring economic security, taking into account the above areas; 7) implementation of institutional and organisational measures within the relevant legal entity of such a unit; 8) provision of information and analytical support for the above processes, in particular by means of their maximum digitalisation with improvement of the relevant information subsystems.

Thus, within the administrative and legal framework of police management in the context of economic integration, there is a need for comprehensive measures that include legislative, personnel, service, information and analytical, institutional and organisational measures.

4. Conclusions

To summarise the above, it is necessary to draw attention to the following. The modern phenomena of globalisation, integration, mutual absorption of cultures and other social institutions, transformation

of various socio-economic, political, legal, etc. structures are an integral attribute of the information society, when a community cannot isolate itself within a certain territory, people, nation. Law enforcement and human rights activities are directly related to the economic phenomena of the above etymology, as they both influence them and are directly and indirectly influenced by various economic processes. Among law enforcement and human rights actors, a special place is occupied by the National Police as a central executive body that ensures the protection of human rights and freedoms, combating crime, and maintaining public security and order.

In the light of economic globalisation, the so-called transnational crimes, which include the creation of and participation in an organised criminal group; committing corruption offences; obstruction of justice; and laundering of proceeds of crime, are becoming increasingly important. The National Police of Ukraine carries out a number of measures to counteract unlawful acts in the economic sphere, which are largely part of transnational crime, by applying appropriate administrative measures. The study of statistical data shows a significant contribution of the National Police as a law enforcement agency to ensuring the stable functioning of economic institutions at the international and national levels.

The structural elements of transnational crime and the powers of the police in this area are considered in the area of administrative and legal support of the management activities of the National Police. In particular, the article describes the legal personality of special bodies which were or are in place in the relevant period of time, namely, the Department of Economic Protection of the National Police, the Department of Strategic Investigations of the National Police, the Bureau of

Economic Security and other units of the National Police which carry out activities aimed at combating and preventing economic crimes.

The article separately covers aspects related to combating crimes committed by organised groups and criminal organisations, corruption offences, economic crimes, and the prevention of economic crime.

In order to overcome the negative manifestations of crime in the economic sphere in the context of economic integration, the following measures are proposed to improve the administrative and legal regulation of police management activities: participation in legislative work, which should primarily incorporate the best achievements of the international community in this area; development of the concept of services that mediate the form and content of law enforcement in the economic sphere; establishing mechanisms for cooperation with the relevant authorities at the national and international levels; improving management activities in the area of combating corruption in the economy; formation of a subordinate regulatory framework for combating economic crime, taking into account existing developments and using the parameters of relevant corruption risks; creation of appropriate human resources in the relevant units of the National Police, which are aimed at ensuring economic security, taking into account the above areas; implementation of institutional and organisational measures within the relevant legal entity of such a unit; provision of information and analytical support for the above processes, in particular through their maximum digitalisation with the improvement of relevant information subsystems.

As part of these activities, proposals were made to improve the legislative definition of economic security and to delineate the competence of national security actors in this area, including police units.

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