



Law enforcement agencies in the system of subjects of human rights protection and defence

Órgãos de aplicação da lei no sistema de sujeitos de proteção e defesa dos direitos humanos

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Abstract

Law enforcement agencies are a separate type of public authorities whose main task is to protect and defend the rights and freedoms of citizens through the implementation of preventive, criminal procedural, administrative and jurisdictional, and operational and investigative functions. The list of law enforcement agencies of Ukraine includes: The Security Service of Ukraine, the National Police of Ukraine, the State Bureau of Investigation, the Bureau of Economic Security of Ukraine, the National Anti-Corruption Bureau; the State Border Guard Service of Ukraine, the Military Law Enforcement Service, the National Guard of Ukraine, the State Penitentiary Service; the State Forest Resources Agency of Ukraine, the State Fisheries Agency, etc. It is proved that it is inexpedient to include into law enforcement agencies the state bodies which have control and supervisory

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or service functions, or which enforce court decisions or carry out professional activities in the human rights sphere (lawyers, the Human Rights Ombudsman, etc.). In order to unify legislative and scientific approaches to determine the characteristics and list of law enforcement agencies, it is concluded that it is necessary to adopt a separate Law of Ukraine "On Law Enforcement Agencies", as well as to make further amendments to the normative acts regulating the legal status of the relevant state bodies.

Keywords: Human Rights. Human Rights Protection. Public Authority. Law Enforcement Agency. Law Enforcement Body. State Coercion.

Resumo

As agências de aplicação da lei são um tipo distinto de autoridades públicas cuja principal tarefa é proteger e defender os direitos e liberdades dos cidadãos através da implementação de funções preventivas, processuais penais, administrativas e jurisdicionais, operacionais e investigativas. A lista de agências de aplicação da lei da Ucrânia inclui: Serviço de Segurança da Ucrânia, Polícia Nacional da Ucrânia, Agência Estatal de Investigação, Agência de Segurança Econômica da Ucrânia, Agência Nacional Anticorrupção; o Serviço Estatal de Guarda de Fronteiras da Ucrânia, o Serviço Militar de Aplicação da Lei, a Guarda Nacional da Ucrânia, o Serviço Penitenciário Estatal; a Agência Estatal de Recursos Florestais da Ucrânia, a Agência Estatal de Pescas, etc. Está provado que é inconveniente incluir nas agências de aplicação da lei os órgãos estatais que têm funções de controle e supervisão ou de serviço, ou que executam decisões judiciais ou realizam atividades profissionais na esfera dos direitos humanos (advogados, ombudsman de direitos humanos, etc.). A fim de unificar as abordagens legislativas e científicas para determinar as características e a lista de agências de aplicação da lei, conclui-se que é necessário adotar uma Lei separada da Ucrânia "Sobre agências de aplicação da lei", bem como fazer novas alterações ao normativo atos que regulam o estatuto jurídico dos órgãos estatais relevantes.

Palavras-chave: Direitos Humanos. Proteção dos Direitos Humanos. Autoridade Pública. Agência de Aplicação da Lei. Órgão de Aplicação da Lei. Coerção Estatal.

Introduction

According to the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950, there are inalienable rights, "derogation" in respect of which is

impossible in any case: the right to life (except in cases of death as a result of lawful military activities), prohibition on torture and the other kinds of improper treatment, prohibition on slavery and forced labor, and prohibition on cruel and unusual punishment (VOITSIKHOVSKYI; BAKUMOV; USTYMENKO; LOHVYNENKO, 2022, p. 240-241). The military aggression of the Russian Federation against our country, as well as the current challenges for the population that have arisen in these difficult socio-economic conditions, require further scientific study of issues related to the protection, defence and proper implementation of human rights and freedoms.

Over the past few years, our country has adopted a number of legislative and by-law normative acts regarding the creation of a stable functioning system of ensuring the rights and freedoms of citizens in Ukraine, including their protection and defence. Among such documents, the National Human Rights Strategy, the National Strategy for Barrier-Free Environment in Ukraine until 2030 and the National Strategy for Promoting Civil Society Development 2021-2026 should be mentioned. In turn, in the field of national security of the state, the Economic Security Strategy, the Cyber Security Strategy, and the draft Strategy of Public Security and Civil Protection of Ukraine were adopted. In all the specified documents, it is emphasized that the main duty of the state in the relevant spheres of social relations is the protection and defence of human rights and freedoms, ensuring their implementation and restoration in case of violation.

An additional study of the content of these and other normative acts allows us to conclude that a special role in the functioning of the proper mechanism for the protection and defence of human rights and freedoms is played by a special group of state bodies, commonly referred to as "law enforcement". Thus, the peculiarities of their legal status and place in the system of subjects of protection of rights and freedoms require additional scientific study, taking into account the new requirements for their activities, which are reflected in the current strategic documents and legislative acts of our country.

Purpose and Objectives of the Study. The purpose of the publication is to define the powers and main functions of law enforcement agencies as subjects of human rights and freedoms protection. To achieve this goal, it is necessary to determine the list of law enforcement agencies based on the analysis of scientific publications and provisions of the current legislation of Ukraine, to study international and national standards of law enforcement agencies' activities in ensuring human rights and freedoms, to investigate the main features of law enforcement activities and to identify its connection with the sphere of human rights and freedoms.

Results and Discussion

The development of Ukraine as a democratic, legal, and social state, by enshrining in its constitution the provision of the highest social value of a person — their life and health, honor, dignity, inviolability, and security—requires the formulation of new approaches to the protection of human rights. In the context of the development of democracy, the observance of human rights and the creation of an appropriate and effective national system for their judicial protection constitute one of the major tasks of the state. Thus, human rights and freedoms and guarantees for their implementation have become the main concern and direction of activities in Ukraine (Voitsikhovskiy; Bakumov; Ustymenko; Lohvynenko, 2022, p. 313).

As is well known from the history of the development of public relations, law enforcement agencies have always been a key element in the system of the legal mechanism for ensuring the rights and freedoms of citizens. This is explained by the fact that it is with the effective and coordinated activity of law enforcement agencies aimed at protecting inalienable human rights and freedoms, the level of law and order in the state can be maintained at the appropriate level (PANOVA; TANKO; POVYDYSH; ALIEKSIEIEVA, 2020, p. 78). The issue of defining the essence, characteristics and list (types) of law enforcement agencies is one of the most well-known discussions in the field of scientific publications. In this publication, we will try to highlight the most well-known approaches to this issue.

One of the most common approaches to this issue is to define the characteristics, functions or tasks of such bodies. For example, Yu. Delia (2020, p. 210) notes that the activities of law enforcement agencies are aimed at, firstly, ensuring law and order, protecting the rights, freedoms and legitimate interests of man and citizen; secondly, ensuring the protection of social groups, society and the state; thirdly, prevention, suppression of offenses, application of state coercion or measures of public influence to persons who have violated the law and established public order.

S.V. Rossokha (2016, p. 13) defines such features of these bodies much more broadly, according to him, law enforcement agencies have the following characteristics: 1) created on the principles of the social and rule-of-law state; 2) designed specifically to ensure law and order, protection of the rights and interests of citizens, legal entities, society and the state; 3) endowed with appropriate rights and have specific competence to prevent,

suppress offenses and consider legal issues and cases related to offenses and protection of human and civil rights and freedoms; 4) should apply special measures of state influence.

At the same time, V.I. Melnyk (2015, p. 163) emphasizes that law enforcement agencies include only such a state body that performs one or more primary law enforcement functions that are crucial in its activities. Meanwhile, the performance of secondary (auxiliary) law enforcement functions is not important, although they are performed by almost all law enforcement agencies. The main functions include those directly related to combating crime and offenses that entail legal liability. Secondary functions include: control, licensing, analytical and methodological, informational, rulemaking, coordination.

One of the most qualitative classifications of the features of law enforcement agencies is given in the works of O.M. Muzychuk (2009, p. 19), in particular, these bodies perform one or more of the following functions a) prevention of crimes and administrative offenses, their suppression and disclosure, search for the persons who committed them; b) protection of especially important state facilities; operational and investigative and intelligence activities; c) protection of public order and public safety; these bodies are authorized to use coercive measures and means (physical force, special means of active defense and attack, firearms); d) as a rule, in order to perform their duties, law enforcement agencies are endowed with appropriate attributes that give grounds to call them power structures or militarized bodies; e) law enforcement officers are assigned special titles, issued uniforms, weapons and other means of self-defense; f) issues of their disciplinary responsibility are regulated by special statutes on discipline. *Thus*, we can confidently say that the various features of law enforcement agencies found in the scientific literature give scholars different grounds and criteria for classifying this or that state body as a law enforcement agency.

M.V. Rudenko and O.P. Shaituro (2019, p. 168) distinguishes four main groups of law enforcement agencies: 1) general law enforcement agencies (the National Police of Ukraine, the State Bureau of Investigation, the State Emergency Service of Ukraine, the State Migration Service of Ukraine); 2) special law enforcement agencies (the State Border Guard Service of Ukraine, the National Anti-Corruption Bureau of Ukraine, the State criminal-Executive service of Ukraine, tax police); 3) state bodies of special purpose with law enforcement functions (the Security Service of Ukraine, the State Security Office of Ukraine, the National Guard of Ukraine); 4) other law enforcement bodies (State forest protection, financial control bodies, fisheries protection, etc.

I.M. Korostashova (2021, p. 51–52) proposes an interesting classification according to which law enforcement agencies should be divided into three groups: 1) law enforcement agencies, which include two subgroups: a) agencies whose respective units are authorized to carry out covert investigative and detective actions (specified in Article 38, Part 6 of Article 246 of the CPC of Ukraine); b) agencies whose respective units are authorized to carry out public investigative and detective actions (specified in Article 5 of the Law of Ukraine "On Operational and Investigative Activity"); 2) administrative and legal protection agencies that perform law enforcement functions, including control and supervisory functions in various spheres of state life, regardless of the presence or absence of including control and supervisory functions in various spheres of state life, regardless of whether they have the power to use state coercion, which should include the vast majority of public authorities (the State Customs Service, the State Border Guard Service, the State Audit Service, the State Migration Service, the State Financial Monitoring Service); 3) human rights bodies: Ombudsman, bodies of the Ministry of Social Policy, consumer protection bodies, lawyers, law firms and associations, notaries, as well as bodies (persons) that enforce court decisions and decisions of other bodies (the State Enforcement Service and private enforcement officers). *Thus*, the classification of types of law enforcement agencies also does not have a unified approach among researchers. Different authors refer to them as a very heterogeneous array of public authorities: from the National Police of Ukraine to private enforcement officers, which sometimes creates real confusion in scientific works and does not contribute to a common understanding of the characteristics and essence of these public authorities.

If we turn to the current legislation of Ukraine, we can see that even here the situation is not the best. For example, the Constitution of Ukraine (June 28, 1996) mentions the term "law enforcement body" in Article 17:

Ensuring state security and protection of the state border is entrusted to the relevant military formations and law enforcement bodies of the state, the organization and procedure of which are determined by law.

At the same time, the Constitution of Ukraine (June 28, 1996) introduces a new term "law enforcement agencies" along with the concept of "law enforcement body" into legal circulation. In particular, Article 131-1 stipulates that in Ukraine there is a public prosecutor's office that organizes and supervises pre-trial investigation, resolves other issues in criminal proceedings in accordance with the law, supervises covert and other investigative and detective actions of law enforcement agencies.

In May 2023, the Comprehensive Strategic Plan for Reforming Law Enforcement Agencies as Part of the Security and Defense Sector of Ukraine was adopted by the Presidential Decree. According to its provisions, the strategic priority is the efficiency and effectiveness of law enforcement and prosecution agencies as an integral part of the security and defense sector, within which they ensure the national security of Ukraine, including public safety and order, and combat crime, taking into account strategic goals and in accordance with human rights and fundamental freedoms, including gender equality. The Comprehensive Strategic Plan applies, in particular, to the prosecutor's office, the Ministry of Internal Affairs of Ukraine, the National Police of Ukraine, the State Border Guard Service of Ukraine, the State Bureau of Investigation, the Bureau of Economic Security of Ukraine, the Security Service of Ukraine and the State Customs Service of Ukraine (DECREE OF THE PRESIDENT OF UKRAINE No. 273/2023). In this aspect, it is worth mentioning the opinion of N.M. Yarmysh (2016, p. 83), who points out that the term "law enforcement agencies" is analogous to the concept of "law enforcement bodies", which should include bodies that have power, armed units and whose employees are authorized to use coercion, in particular with the use of firearms.

Based on the foregoing, it can be concluded that law enforcement agencies represent a separate cluster of state bodies related to law enforcement, and the list does not include the Prosecutor's Office of Ukraine.

The list of law enforcement agencies most commonly used in research is the one set out in Article 2 of the Law of Ukraine No. 3781-XII "On State Protection of Court and Law Enforcement Bodies Staff" (December 23, 1993):

Law enforcement agencies are bodies of the Prosecutor's Office, the National Police, the Security Service, the Military Law Enforcement Service in the Armed Forces of Ukraine, the National Anti-Corruption Bureau of Ukraine, state border protection bodies, the Bureau of Economic Security of Ukraine, penitentiary bodies and institutions, pre-trial detention centers, state financial control bodies, fisheries protection, state forest protection, other bodies that perform law enforcement or law enforcement functions.

At the same time, if we analyze the content of the legislative acts regulating the activities of these bodies, we can note that not all of them are classified as law enforcement agencies by the current legislation of Ukraine:

State body	Regulatory definition
The National Police of Ukraine	The central body of executive power, which serves society by ensuring the protection of human rights and freedoms, combating crime, maintaining public safety and order (LAW OF UKRAINE No. 580-VIII).

The Prosecutor's Office of Ukraine	The only system that, in the manner prescribed by this Law, carries out the functions established by the Constitution of Ukraine in order to protect human rights and freedoms, common interests of society and the state (LAW OF UKRAINE No. 1697-VII).
The Security Service of Ukraine	A special-purpose state body with law enforcement functions that ensures the state security of Ukraine. The Security Service of Ukraine is subordinated to the President of Ukraine (LAW OF UKRAINE No. 2229-XII).
The Military Law and Order Service at the Armed Forces of Ukraine	A special law enforcement unit within the Armed Forces of Ukraine designed to ensure law and order and military discipline among the military personnel of the Armed Forces of Ukraine in the places of deployment of military units, in military educational institutions, institutions and organizations, military camps, on the streets and in public places (LAW OF UKRAINE No. 3099-III).
The National Anti-Corruption Bureau of Ukraine	The central executive body with a special status charged with the prevention, detection, suppression, investigation and disclosure of corruption and other criminal offenses within its jurisdiction, as well as prevention of new ones (LAW OF UKRAINE No. 1698-VII).
The Bureau of Economic Security of Ukraine	The central executive body entrusted with the task of counteracting offenses that infringe on the functioning of the state's economy. In accordance with its tasks, the Bureau of Economic Security of Ukraine performs law enforcement, analytical, economic, informational and other functions (On the Bureau of Economic Security of Ukraine).
The State Bureau of Investigation	The state law enforcement body entrusted with the tasks of prevention, detection, termination, disclosure and investigation of criminal offenses assigned to its competence (LAW OF UKRAINE No. 794-VIII).
The State Frontier Service of Ukraine	The Special purpose law enforcement agency (LAW OF UKRAINE No. 661-IV).
The State Criminal-Executive Service of Ukraine	Performs law enforcement functions (LAW OF UKRAINE No. 2713-IV).
The State Audit Service of Ukraine	The central executive body whose activity is directed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Finance and which implements the state policy in the field of state financial control (RESOLUTION OF THE CABINET OF MINISTERS OF UKRAINE No. 43).
The State Tax Service of Ukraine and the State Customs Service of Ukraine	The central executive body that implements the state customs policy, the state policy in the field of combating offenses in the application of customs legislation (RESOLUTION OF THE CABINET OF MINISTERS OF UKRAINE No. 227).
The State Migration Service of Ukraine	The central executive body that implements state policy in the areas of migration (immigration and emigration), including combating illegal (irregular) migration, citizenship, registration of individuals, refugees and other categories of migrants defined by law (RESOLUTION OF THE CABINET OF MINISTERS OF UKRAINE No. 360).
The State Forest Protection, Forest Protection of Other Forest Users and Forest Owners	The State Forest Guard operates as part of the State Forest Resources Agency, the Republican Committee of the Autonomous Republic of Crimea on Forestry and Hunting, regional forestry and hunting departments, and enterprises, institutions and organizations that are under the management of the State Forest Resources Agency. The State Forest Guard has the status of a law enforcement agency (RESOLUTION OF THE CABINET OF MINISTERS OF UKRAINE No. 976).

Table 1: Analyze the content of the legislative acts

Source: Authors

The basic concepts of the relevant state authorities given in the comparative table show that even in the normative acts that determine the status of one or another body, it is not indicated that it is law enforcement. Such bodies are often defined as bodies of executive power with special status, state bodies with law enforcement functions, law enforcement formation, body that protects the rights and freedoms of citizens, etc.

On the basis of the above, guided by the provisions of the current legislation of Ukraine, as well as certain scientific achievements, we propose to include the following in the system of law enforcement agencies of Ukraine:

- 1) Law enforcement agencies with the right to conduct pre-trial investigation and inquiry: the National Police of Ukraine, the State Bureau of Investigation, the Bureau of Economic Security of Ukraine, the National Anti-Corruption Bureau.
- 2) State bodies of special purpose and state bodies with law enforcement functions: the Security Service of Ukraine, the State Border Guard Service of Ukraine, the Military Law Enforcement Service, the National Guard of Ukraine, and the State Criminal-Executive Service.
- 3) Other law enforcement agencies that operate as part of executive authorities: the State Forestry Protection Authorities, the Fisheries Protection Authorities.

We have certain doubts about the inclusion of the State Customs Service, the Antimonopoly Committee, the Foreign Intelligence Service, financial control bodies and others into the system of law enforcement agencies. Firstly, in such bodies, the implementation of the law enforcement function and the task of protecting the rights and freedoms of citizens are not defined among the main areas of work. Secondly, if we take the content of the Law of Ukraine No. 3166-VI. “On Central Bodies of Executive Power” (March 17, 2011) and the names of such bodies, it can be seen that in the event that most of the functions of the central executive body consist of the functions of providing administrative services to individuals and legal entities, the central executive body is formed as a service if most of the functions consist of the functions of managing state-owned objects belonging to the sphere of its management, the central body of executive power is formed as an agency, if the majority of functions are control and supervisory functions of compliance by state bodies, local self-government bodies, their officials, legal entities and natural persons with acts of legislation, the central body of executive power is formed as an inspection.

Thus, not all central executive bodies are authorized by Ukrainian law to perform law enforcement functions. In addition, their activities largely do not fall under the main features of a law enforcement agency, their officials do not have the right to apply special coercive measures, conduct inquiries, pre-trial investigations, public and covert investigative (search) actions, etc. Thus, to a certain extent, all state bodies in a broad sense can be attributed to law enforcement agencies, since they are created by the state, act on its behalf, and the content of their activities and focus is primarily determined by human rights and

freedoms. At the same time, from the point of view of exercising special powers of detection and investigation of crimes, conducting operational and investigative activities, which are referred to as key tasks of such bodies by the regulations, we cannot unequivocally refer these state institutions to the law enforcement block. Of course, the classification presented here does not pretend to be an absolute truth, but at the same time, we are confident that the bodies we have mentioned should be definitely classified as law enforcement agencies. In addition, on this basis, it is advisable to adopt the Law of Ukraine "On Law Enforcement Agencies", which should set out their full list, tasks, functions, features, and management, with further amendments to the analyzed laws and bylaws establishing the legal status of such public authorities.

It should be noted that the place of law enforcement agencies in the system of subjects of protection of human rights and freedoms and their key tasks in this area are defined by the basic strategic and conceptual documents of our country and international legal acts.

The National Human Rights Strategy (March 24, 2021) states that the system of ensuring and protecting human rights and freedoms in Ukraine should be based on the best domestic and foreign experience. The document also sets the following strategic goals for the protection and defence of human rights and freedoms (DECREE OF THE PRESIDENT OF UKRAINE No. 119/2021):

- to create an effective mechanism for informing law enforcement agencies about possible signs of torture, cruel, inhuman or degrading treatment or punishment;
- create conditions for preventing and counteracting all forms of gender-based violence, domestic violence, and violence by law enforcement officials;
- to ensure compensation for damage and bring perpetrators to legal responsibility for violations of the right to life;
- to create an effective mechanism for everyone in Ukraine to realize the right to freedom of thought and speech, expression of views and beliefs, and access to information;
- to create and ensure the effective functioning of the system for preventing and combating discrimination, exploitation, and human trafficking;
- to ensure full protection of children's rights in accordance with generally recognized international, including European, standards.

The Code of Conduct for Law Enforcement Officials (December 17, 1979) indicates that in the performance of their duties, law enforcement officials shall respect and protect

human dignity and uphold and protect human rights for all persons. They may use force only when absolutely necessary and to the extent necessary for the performance of their duties. In addition, the code establishes the obligations of such persons to preserve confidential information, to prevent tolerance of torture or other cruel forms of punishment, corruption, violations of legal requirements by officials of law enforcement agencies.

The Declaration on the Police (1979) states that a police officer fulfills the duties assigned to him by law, protecting fellow citizens and society from violence, robberies and other dangerous acts defined by law. He must resist violations of the law, refrain from illegal actions, corrupt practices, inhumane forms of humiliation and punishment. A policeman is personally responsible for his illegal actions, as well as for illegal actions or inactions committed on his order. In the performance of his duties, a police officer shows the necessary determination to achieve the goal that is required or permitted by law, but never exceeds the limits of the reasonable use of force.

Thus, it can be argued that the analyzed documents impose on law enforcement agencies and their officials the duty to prevent and stop violations of human rights and freedoms, as well as to apply measures of coercive influence to the persons who committed them. At the same time, the relevant persons themselves must adhere to the established rules of conduct and not allow their actions to limit or violate human rights and freedoms, including the excessive use of special coercive measures, weapons, issuing illegal orders and orders, committing acts. corruption or abuse of official authority.

The peculiarity of the functioning of public authorities, which we have referred to as law enforcement agencies, is that they carry out so-called law enforcement activities, which consist in responding to the commission of offenses, identifying and bringing to legal responsibility the persons who committed them (HUSARIEV; TYKHOMYROV, 2107, p. 68-69]. Legal scholars who have studied the problems of organizing law enforcement activities say that this activity is: carried out on behalf of the state and has a power character; aimed at protecting the rights and freedoms of citizens; carried out by specially authorized persons on a professional basis; characterized by the use of measures of persuasion and coercion in accordance with the provisions of legal acts (BONIAK, 2018, p. 11; MAKAROV et. al., p. 14-16). These features of law enforcement activities once again confirm our thesis that it is a mistake to include executive authorities that provide public services to citizens and have control and supervisory functions in various areas of public relations in the list of law enforcement agencies. Thus, it can be concluded that law

enforcement agencies occupy a special place in the system of subjects of protection of citizens' rights and freedoms for the following reasons:

- 1) the purpose of their creation is the direct protection of human rights and freedoms on the basis of special powers established in the current legislation of Ukraine;
- 2) a feature of their activity is the presence of protective powers (powers of protection) of human rights and freedoms, which consist in responding to committed offenses, establishing and stopping illegal behavior and bringing guilty persons to justice;
- 3) officials of law enforcement bodies carry out their activities only on a professional basis, have appropriate qualifications, general and special professional competences in the field of protection and defence of human rights and freedoms;
- 4) law enforcement agencies act in accordance with the provisions of the current legislation of Ukraine, taking into account international normative legal documents in the field of protection of human rights and freedoms, codes of conduct of officials representing the state and its bodies;
- 5) exercising their authority, law enforcement agencies should not allow restrictions and violations of the rights and freedoms of citizens;
- 6) the activities of law enforcement agencies in the field of protection and defence of the rights and freedoms of citizens are carried out for the most part in accordance with criminal procedural legislation, legislation on administrative responsibility and other regulatory legal acts regulating the use of coercive measures and measures to restrict the rights and freedoms of citizens;
- 7) law enforcement agencies have the right to apply special coercive measures, including those related to the restriction of personal freedom, the use of special means and firearms;
- 8) in the course of their activities, law enforcement agencies must take measures to restore violated human rights and freedoms, identify and eliminate within their competence the causes and conditions that contributed to the commission of illegal actions or created the basis for the violation of the relevant rights of citizens.

Conclusion

Law enforcement agencies are a separate type of state authorities whose main task is to protect and defend the rights and freedoms of citizens through the implementation of

preventive, criminal procedural, administrative and jurisdictional, and operational and investigative functions.

The following should be included in the list of law enforcement agencies: 1) law enforcement agencies that have the right to conduct pre-trial investigation and inquiry; 2) state bodies of special purpose and state bodies with law enforcement functions; 3) other law enforcement agencies acting as part of the executive authorities.

The protection of the rights and freedoms of citizens in the activities of these bodies should be considered not only from the point of view of protecting fundamental human rights and freedoms from external illegal encroachments, but also from the standpoint of compliance by officials of such bodies with internationally recognized conventions, standards, principles and normative acts in the field of rights a person

At present, the current legislation of Ukraine requires appropriate optimization and the development of an agreed position regarding the definition of the list and features of law enforcement agencies of the state. The stated thesis necessitates the adoption of a separate Law of Ukraine "On Law Enforcement Agencies", as well as the introduction of further changes to the normative acts regulating the legal status of the relevant state bodies.

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