

Research Article

Legal Regulation of the Interaction between the Police, the Prosecutor's Office, the State Border Guard Service of Ukraine and the State Criminal Executive Service of Ukraine in the Fight against Organized Criminal Offenses Related to Plundering and Illicit Trade of Weapons and Drugs

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Abstract

Background: The purpose of the article is to reveal the legal regulation of the interaction of the police, the prosecutor's office, the state border guard service of Ukraine and the state criminal executive service of Ukraine in combating organized criminal offenses related to plundering, illicit trade of weapons and drugs, terrorism and illegal crossing of the state border of Ukraine.

Methods: In accordance with the purpose and objectives of the research, the dissertation used a system of scientific methods of cognition. Among them are general scientific methods, methods of management, sociology, law, as well as special methodological principles of studying the legal regulation of the interaction of the police, prosecutor's office and the state border service of Ukraine in combating organized criminal offenses related to plundering, illicit trade of weapons and drugs, terrorism and illegal crossing of the state border of Ukraine.

Results: According to the results of the study, the social danger of these phenomena in war conditions is characterized and defined, the persons who commit them are highlighted and war is identified as the main factor in changes in the quantitative and qualitative parameters of crime.

The work provides a distribution of measures to prevent organized criminal offenses related to plundering, illicit trade of weapons and drugs, terrorism and illegal crossing of the state border of Ukraine and strategies to reduce opportunities for committing crimes.

Conclusion: The study highlights the main directions and means of interaction between the police, the prosecutor's office and the state border service of Ukraine in combating offenses related to organized criminal offenses related to plundering, illicit trade of weapons and drugs. The results of the study emphasize that the interaction between police units with the bodies of the state border service of Ukraine and the prosecutor's office during the detection and suppression of organized criminal offenses related to plundering, illicit trade of weapons and drugs, terrorism and illegal crossing of the state border of Ukraine. The crime reduction strategy should be based on the use of a combination of overt and undertow means of counteraction; have a large-scale, complex, well-planned and organized

planned and organized nature, focused on reducing the level of these types of crime as a prerequisite for the existence of other anti-social manifestations.

Keywords: Legal regulation; Police; Prosecutor's office; State border service; Organized criminal offenses; Illicit trade; Drugs

Introduction

The war in Ukraine led to a whole set of changes in socio-economic, geopolitical and socio-psychological life. Destroyed cities and industrial facilities, a large number of refugees, loss of jobs completely changed the way of life and quality of life of Ukrainian citizens. The negative consequences of the war were also manifested in the nature and quantitative and qualitative parameters of crime. New forms and types of traditionally committed crimes appeared; the structure and degree of danger of committed crimes changed. In the conditions of war, crime became more sophisticated and organized. In the structure of crime, the most widespread and socially dangerous crimes were organized criminal offenses related to plundering, illicit trade of weapons and drugs, terrorism and illegal crossings of the state border of Ukraine. The listed crimes, by the specifics of the commission, the list of offenders, the number of persons involved in illegal activities, began to bear the signs of cross-border crime. The listed criminal offenses have always been considered to be of increased public danger, but in war conditions, taking into account the devastating consequences for the country, their public danger has significantly increased. Against this

background, the fight against these phenomena has ceased to be the concern of only the police and special units and the prevention of these phenomena should be comprehensive and systematic in nature, using the efforts of many subjects of counteraction to such activities. In this regard, the solution of scientific tasks related to the establishment of effective interaction between the police, the prosecutor's office and the state border service of Ukraine in the work on countering offenses related to plundering and illegal crossing of the state border of Ukraine is becoming relevant. This and much more determine the significant relevance and purpose of our research, which requires the study of issues related to the systematization of scientific knowledge on the interaction of the police, prosecutor's office and the state border service of Ukraine in combating organized criminal offenses related to plundering, illicit trade of weapons and drugs, terrorism and illegal crossing of the state border of Ukraine.

Materials and Methods

In accordance with the purpose and objectives of the study, the article uses a system of scientific methods of cognition. Among them are general scientific methods, methods of management science, sociology, law, as well as special methodological principles for studying the legal regulation of the interaction of the police, prosecutor's office and the state border service of Ukraine in combating organized criminal offenses related to plundering, illicit trade in weapons and drugs, terrorism and illegal crossing of the state border of Ukraine.

The main one in this system is the general scientific dialectical method, which contributed to the consideration and study of the problem in the unity of its social content and legal form and the implementation of a systematic analysis of the legal regulation of the interaction of the police, prosecutor's office and the state border service of Ukraine in combating organized criminal offenses related to plundering, illicit trade in weapons and drugs, terrorism and illegal crossing of the state border of Ukraine.

Using the logical-semantic method, the conceptual apparatus was deepened and the scientific foundations of the study of the legal regulation of the interaction of the police, the prosecutor's office and the state border service of Ukraine in combating organized criminal offenses related to plundering, illicit trade in weapons and drugs, terrorism and illegal crossing of the state border of Ukraine were determined. System-structural and comparative-legal methods allowed us to study the legal regulation of the interaction of the police, the prosecutor's office and the state border service of Ukraine in combating organized criminal offenses related to plundering, illicit trade in weapons and drugs, terrorism and illegal crossing of the state border of Ukraine.

The formal-legal method was used to study the content of legal norms that are the legislative basis for the interaction of the police, prosecutor's office and the state border service of Ukraine in combating organized criminal offenses related

to plundering, illicit trade of weapons and drugs, terrorism and illegal crossing of the state border of Ukraine.

A comparative analysis of the legal regulation of the interaction of the police, prosecutor's office and the state border service of Ukraine in combating organized criminal offenses related to plundering, illicit trade of weapons and drugs, terrorism and illegal crossing of the state border of Ukraine allowed us to study the evolution of the regulation of this area abroad, to identify the main modern approaches and the possibilities of their application in Ukraine.

Results and Discussion

In our publications, we have repeatedly addressed the problems of the need for interaction between police units with the bodies of the state border service of Ukraine and the prosecutor's office and other state and law enforcement agencies in preventing various types of criminal offenses [1-8]. This part of our search will be a kind of generalization of many years of work by a number of scientists in the context of the importance of interaction between various subjects of combating criminal offenses during the detection and suppression of some of the most widespread and dangerous manifestations in modern conditions, namely organized criminal offenses related to plundering, gunrunning, terrorism and illegal crossing of the state border of Ukraine and the temporary demarcation line. The fact is that it has long become a sad reality and even more so in times of war, that many types of crime have become a phenomenon that knows no borders, because today this phenomenon "successfully" overcomes any interstate barriers. In this perspective organized criminal offenses related to plundering, illicit trade of weapons and drugs, terrorism and illegal crossing of the state border of Ukraine have turned out to be dangerous varieties of today's social pathology. This negatively affects the criminogenic situation in our country, especially in its border regions. Ignoring state borders, domestic and foreign criminality establishes and strengthens mutually beneficial cross-border criminal ties; develops new markets for the illegal sale of goods and services, uses the imperfections and discrepancies of the provisions of national legislative systems to evade responsibility, actively uses transnational corruption in this phenomenon, etc. Therefore, organized criminal offenses related to plundering, illicit trade of weapons and drugs, terrorism and illegal crossing of the state border of Ukraine are becoming increasingly widespread.

The social danger of these crimes lies in the fact that they not only encroach on public safety and peace of the population, their health and, in general, on order in the country, but are the foundation for other types of crimes-murders, plundering of narcotics, weapons, human trafficking, etc. At the same time, illegal migration of the population, the scale of which is not even amenable to precise determination at the present time, openness and transparency of borders, freedom of movement as a significant manifestation of democratic values of modern man have led to the fact that individuals can commit crimes in different countries, hide from justice in other states, etc.

Let us recall that one of the most important subjects of counteraction to organized criminal offenses related to plundering, illicit trade of weapons and drugs, terrorism and illegal crossing of the state border of Ukraine is the police, the prosecutor's office and the state border service of Ukraine. Not only the state of prevention of these crimes, but also the general state of law and order in the border territories and in the country as a whole depend on their activities and effective interaction.

At the same time, miscalculations in preventing organized criminal offenses related to plundering, illicit trade of weapons and drugs, terrorism and illegal crossing of the state border of Ukraine lead to difficulties in combating various types of organized crime, in particular, trafficking in human beings, stolen vehicles, excisable goods and nuclear materials and also complicate the identification and prosecution of persons who are trying to evade justice by hiding in other countries.

It would be interesting to note that according to the degree of involvement in the above-mentioned activities as a branch of cross-border criminal business and therefore the level of social danger of criminal behavior, the following classes of guilty persons have been divided:

- Who illegally transported their relatives or close friends across the state border of Ukraine in the absence of a selfish motive.
- Who committed a crime based on sympathy for persons they had not met before.
- Who are situational self-serving criminals.
- Who are constantly engaged in illegal plundering of persons across the state border of Ukraine on a paid basis.

The results of research on a similar topic have shown that the decisive role in the illegal plundering of persons across the state border of Ukraine as a component of the international migration industry is played by criminals of the fourth class, while among those convicted under Art. 332 of the Criminal Code of Ukraine, the third class is mostly represented.

In 2023, 7,344 cases of administrative offenses related to the illegal production, acquisition, storage, transportation and transfer of narcotic drugs or psychotropic substances without the purpose of sale in small quantities were pending in courts in Ukraine (Article 44 of the Code of Administrative Offenses), of which 6,063 cases were considered and relevant decisions were made [9-11].

A significant gap in preventive activities is the weak interaction between the national police, the prosecutor's office, the state border service of Ukraine, as well as local executive authorities. Thus, modern studies show that when preventing plundering and illegal border crossing, border service units most often cooperate with migration authorities (62.7%), less often with city and district police agencies, into whose territory migrants and smuggled goods enter (12.1%); with criminal enforcement structures (24.3%), as

well as with criminal investigation units (17.2%). Almost every second border service employee does not interact with police authorities and no facts of interaction with other state authorities have been established at all.

Establishing departmental and interdepartmental interaction. Paraphrasing A.M. Babenko and VI. Zhenuntia, we note that effective counteraction to organized criminal offenses related to plundering, gunrunning, terrorism and illegal crossing of the state border of Ukraine should be large-scale, comprehensive, well-planned and organized in nature, aimed at eradicating this type of crime as a prerequisite for other anti-social manifestations.

Generalization of scientific literature, the experience of law enforcement activities and the results of the analysis of regulatory legal acts, it was established that police units in cooperation with the bodies of the state border service of Ukraine and the prosecutor's office in combating offenses related to organized criminal offenses related to plundering, illicit trade of weapons and drugs, terrorism and illegal crossing of the state border of Ukraine should solve the following tasks: Analysis and assessment of the operational situation in the field of offenses related to plundering, illicit trade of weapons, terrorism and illegal crossing of the state border of Ukraine; accounting and exchange of information regarding the most likely places of such activity; forecasting trends in the development of these phenomena; identifying and accounting for persons who engage in such illegal activities; establishing and exchanging information regarding travel routes; determining priority areas of combating organized criminal offenses related to plundering, gunrunning, terrorism and illegal crossing of the state border of Ukraine; comprehensive planning of the activities of city and district bodies and ensuring interaction between the executors of the planned measures; identifying and eliminating the causes and conditions of criminal offenses related to organized criminal offenses related to plundering, gunrunning, terrorism and illegal crossing of the state border of Ukraine; highlighting the results of combating these crimes in the media [12-15].

An important place in combating criminal offenses related to organized criminal offenses related to plundering, gunrunning, terrorism and illegal crossing of the state border of Ukraine and illegal crossing of the temporary demarcation line is given to the establishment of interaction between territorial police units with various services of the state border service of Ukraine and with the prosecutor's office.

The establishment of effective interaction makes it possible to achieve better results in preventing, stopping and solving crimes of this category, serves as the basis for combining efforts for purposeful work, skillful determination of its main directions, avoidance of duplication and better use of the capabilities of each service [16-20].

Among the main forms of interaction between police units with the bodies of the state border service of Ukraine and the prosecutor's office during the detection and suppression

of organized criminal offenses related to plundering, gunrunning, terrorism and illegal crossing of the state border of Ukraine and the temporary demarcation line, the following can be distinguished:

- Organization of joint development and implementation of comprehensive preventive and operational measures.
- Joint planning of individual measures determined by the dynamics of changes in the operational situation to detect and stop illegal actions.
- Use of the necessary assistance of structural and special units of the police and the state border service in carrying out measures to detect and detain criminals.
- Use of the capabilities of structural units to identify persons who can be expected to commit crimes related to plundering and illegal crossing of the state border of Ukraine and illegal crossing of the temporary demarcation line.
- Exchange of information between police units, bodies of the state border service of Ukraine and the prosecutor's office regarding the places of commission of organized criminal offenses related to plundering and illicit trade of weapons (Figure 1) [21-26].

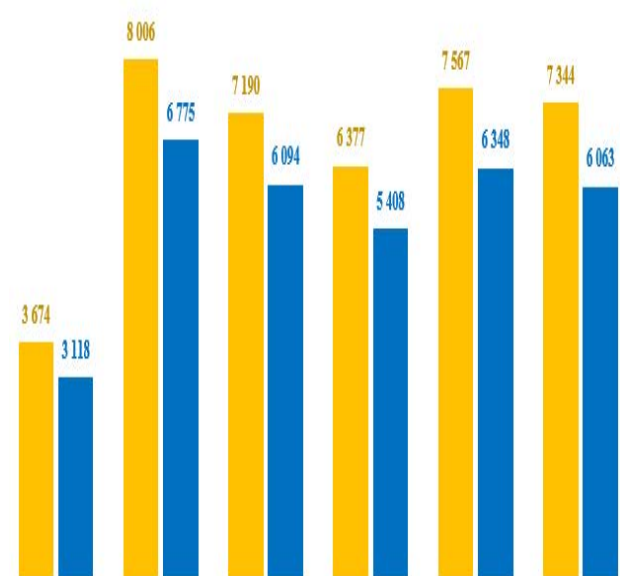


Figure 1: Cases of administrative violations under review and cases resolved, 2019-2024

Conclusion

Summarizing the above, we note that the interaction between police units with the bodies of the state border service of Ukraine and the prosecutor's office during the detection and suppression of organized criminal offenses related to plundering, gunrunning, terrorism and illegal crossing of the state border of Ukraine and the temporary demarcation line should be based on the application of a whole complex of measures based on interaction with all internal and relevant external law enforcement entities.

These measures are combined into a comprehensive, planned application of overt and covert means; they should be large-scale, well-organized and planned; such measures are focused on eliminating the causes and conditions of illegal activity and are also focused on reducing the opportunities for committing criminal offenses. The positive consequences of such activities include an increase in the level of protection of society from the risk of becoming a victim of criminal offenses, as well as a decrease in the level of organized criminal offenses related to plundering, gunrunning, terrorism and illegal crossing of the state border of Ukraine and the temporary demarcation line.

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Conflict of Interest

Authors have no conflict of interest to declare.

References

1. Artyukhov, I. Volk, A. Surowiec, S. Skrzypek-Ahmed, K. Bliumska-Danko, et al. Quality of education and science in the context of sustainable development goals-from millennium goals to agenda 2030: Factors of innovation activity and socio-economic impact. *Sustainability*, 14(2022): 11468.
2. AM. Babenko. Prevention of organized, armed and terrorist crime as a component of security in the context of European integration. *South Ukrainian Law J*, (2022):54-58.
3. AM Babenko. Regional features of crime in cities and rural areas of Zaporizhia, Dnipropetrovsk and Kharkiv regions. *Issues of combating crime: Collection of scientific works/editors: V.I. Borisov and others.* (2018):42-60.
4. AM Babenko. Tactical-psychological, criminal-procedural, administrative-legal and operational-search measures for the prevention and prevention of criminal offenses. (2021):14-22.
5. Dudyk, K. Rezvorovych, V. Melnyk, O. Gayevaya, V. Tumalavičius. Strategies for Ukraine's Legal integration into the EU: Learning from the experience of Central and Eastern Europe. *Evropský politický a právní diskurz*, 11(2024):13-21.
6. Dymko, A. Muradian, A. Manzhula, O. Rudkovskiy. Integrated approach to the development of the effectiveness function of quality control of metal products. *East-Eur J Enterp Technol*, 6 (2017):26-34.
7. SO Kibalnyk. Criminological characteristics and prevention of illicit trade of persons across the state border of Ukraine: Dissertation candidate of law: 12.00.08/Research Institute of Drug Control named after Acad. V.V. Stashys. Kharkiv, (2021).
8. M. Kornienko, A. Desyatnik, G. Didkivska, Y. Leheza, O. Titarenko. Peculiarities of investigating

- criminal offenses related to illegal turnover of narcotic drugs, psychotropic substances, their analogues or precursors: Criminal law aspect. *Khazanah Hukum*. 5(2023):205-215.
9. YO. Leheza, V. Filatov, V. Varava, V. Halunko, D. Kartsyhin. Scientific and practical analysis of administrative jurisdiction in the light of adoption of the new code of administrative procedure of Ukraine. *J Legal Ethical Regul Issues*, 22 (2019):1-8.
 10. Y. Leheza, K. Pisotska, O. Dubenko, O. Dakhno, A. Sotskyi. The essence of the principles of Ukrainian law in modern jurisprudence. *Rev Jurid Portucalen*, (2022):342-363.
 11. Y. Leheza, B. Shcherbyna, Y. Leheza, O. Pushkina, O. Marchenko. Features of applying the right to suspension or complete/partial refusal to fulfill a duty in case of non-fulfilment of the counter duty by the other party according to the civil legislation of Ukraine. *Rev Jurid Portucalen*, 340-359.
 12. Ye. Leheza, V. Shablysty, IV. Aristova, IA. Kravchenko, T. Korniakova. Foreign experience in legal regulation of combating crime in the sphere of trafficking of narcotic drugs, psychotropic substances, their analogues and precursors: Administrative and criminal aspect. *J Drug Alcohol Res*, 12(2023):1-8.
 13. Y. Leheza, Y. Larysa, K. Volodymyr. Peculiarities of legal regulation of intellectual property protection in Ukraine under martial law: Administrative and civil aspects. *Rev Justiça Direito*, 37(2023):157-172.
 14. OM. Makhlay. Counteraction to cross-border criminal activity on the state border of Ukraine. *Law and Society*, 2017:212-215.
 15. LI. Verba, Y. Lebedieva, O. Chepik-Trehubenko. The European convention on human rights and the practice of the ecthr in the field of gestational surrogacy. *Access Justice East Eur*, 6(2023).
 16. On free legal aid: Law of Ukraine of June 2, 2011 No. 3460-VI / Verkhovna Rada of Ukraine.
 17. On the bar and legal activities: Law of Ukraine of July 5, 2012 No. 5076-17.
 18. K. Rezvorovych, P. Gorinov, M. Sokol, K. Kutsyk, R. Opatskyi. Peculiarities of the legislative regulation of the protection of rights of workers on the background of Russian military aggression (the Ukrainian experience). *R Econ Finan*, (2023):584-591.
 19. Shcherbyna, Y. Leheza, Y. Leheza, O. Pushkina, O. Marchenko. Características de la suspensión o denegación total/parcial del cumplimiento de una obligación en caso de incumplimiento de la contraparte según la legislación civil de Ucrania. *Novum Jus*, 18(2024):131-150.
 20. Sotska, T. Serhii, V. Tetiana, K. Vadym, R. Krystyna. Legal regulation of the protection of children's rights by European standards: A comparative perspective. *Syariah J Huk Pemik*, 24(2024):359-375.
 21. O. Volobuieva, Y. Leheza, V. Pervii, Y. Plokhuta, R. Pichko. Criminal and administrative legal characteristics of offenses in the field of countering drug trafficking: Insights from Ukraine. *Yustisia*, 12(2023):262-277.
 22. T. Voloshanivska, P. Inna, L. Serhii Olha Merdova, Y. Leheza. Administrative and criminal law aspects of preventing offenses committed by minors in the sphere of illegal circulation of narcotic drugs, psychotropic substances and precursors. *J Drug Alcohol Res*, 12(2023).
 23. M. Yankovyi, Y. Leheza, V. Medvedenko, T. Koval. Application of artificial intelligence in motivating court decisions: Legal basis and foreign experience. 24(2024):58-69.
 24. OG Yanovska. Legal and social nature of the legal profession. *Bulletin of criminal proceedings*. (2015): 108-113.
 25. V. Yurovska, Y. Leheza, A. Zamryha, VB. Ulozhenko. Administrative and legal regulation of the status of internally displaced persons in Ukraine during the war. 51 (2024):297-313.
 26. VI. Zhenuntyi, AM Babenko. Illegal cultivation of narcotic plants: Criminal and criminological aspects, prevention: monograph. Donetsk: Department of Internal Affairs of the Department of Internal Affairs of the Republic of Crimea named after EO. Didorenko, (2009).