

The problems of combating economic and organized criminality

Brief description: According to experts from the World Economic Forum, Ukraine is one of the countries with the greatest impact of organized crime on doing business. The current model of economic globalization, high levels of corruption and Russia's ongoing armed aggression against Ukraine contribute to the spread of transnational organized crime in our country, in the national segment of the Internet, as well as increased manifestations of organized crime in various sectors of the economy and public administration. On the one hand, on the territory of Ukraine, including in the temporarily occupied territories of Luhansk and Donetsk regions, international criminal groups carry out transnational organized criminal activities, including cybercrime, international drug trafficking, organized smuggling, human trafficking, illegal migration, illegal trade in objects of historical and cultural heritage, legalization (laundering) of proceeds from crime, international terrorism. On the other hand, organized criminal groups, "thieves in law" and corrupt officials living in Ukraine control the underground entertainment industry, shadow trade and financial flows; try to influence the extraction, processing and sale of natural resources, as well as the distribution and use of budget funds; carry out illegal seizure of property of business entities; organize the withdrawal of capital to offshore jurisdictions. The basic provisions and mechanism for implementing state policy in the field of combating organized crime cover a set of measures and activities of specially authorized entities to reduce organized crime, protect human rights and economic entities, and ensure national security in the economic sphere.

It is studied after the block of disciplines of a professional direction and mastering of the general and professional competences on a profile of preparation of judges, prosecutors, investigators.

It is the basis for interdisciplinary research on the problems of combating organized and economic crime

The purpose of the discipline: to develop knowledge and professional competencies on international standards, public policy and preventive mechanisms to combat economic and organized crime

As a result of studying the discipline the student will be able to demonstrate the following learning outcomes:

To demonstrate knowledge and understanding of various concepts, as well as the provisions of international standards on the concept, nature and conduct of organized and economic crime; signs of conventional crimes covered by these concepts; the scale of criminal activity by organized criminal groups

To classify types of economic and organized crime according to different criteria; describe the features of transnational organized crime, as well as typical ways of committing serious and especially serious crimes in organized criminal groups and criminal organizations.

To demonstrate knowledge and understanding of the basic provisions of the UN policy in the field of combating organized and economic crime; identify problems of institutional and regulatory support for the fight against organized and economic crime in Ukraine; to characterize the guiding principles, directions and mechanisms of implementation of the Strategy for Combating Organized Crime in Ukraine

To discuss the existing problems of involving civil society institutions, as well as the implementation of international cooperation in the fight against organized and economic crime

To summarize the results of investigative, operational and judicial practice (separately focusing on the study and systematization of ECHR decisions)

To apply knowledge of the provisions of UN conventions, international treaties, national legislation, ECHR practice in the fight against organized and economic crime, as well as the concepts of these types of crime, causes and conditions of crime in organized groups and criminal organizations, and mechanisms to combat economic and organized crime in the professional activities of judges, investigators and prosecutors

To solve problematic situations that arise in the detection, prevention, cessation and investigation of crimes committed as part of organized criminal groups and criminal organizations

The content of the curriculum

Topic 1. Organized crime: the notion, forms of realization, determinants and prevention

- 1.1. International standards in the sphere of organized crimes combating
- 1.2. The notion and the features of organized crime
- 1.3. Forms of realization of organized crime
- 1.4. The classification of organized crime unities
- 1.5. Determinants and main directions of organized crime preventions

Topic 2. Criminal legal provision of organized crime combating

- 2.1. The current state of criminal legal provision of organized crime combating
- 2.2. Criminal legal characteristic of crimes, connected with appearing and functioning of organized crime unities
 - 2.2.1. Art. 255 «The creation of crime unities» of CC of Ukraine
 - 2.2.2. Art. 256 «Gangsterism» of CC of Ukraine
 - 2.2.3. Art. 258-3 « The creation of terroristic group or terroristic organization» of CC of Ukraine
 - 2.2.4. Art. 260 «The creation of militarized or armed formations not envisaged by law» of CC of Ukraine
- 2.3. The forms of differentiation of criminal liability committed in organized complicity
- 2.4. The individualization of criminal liability committed in organized complicity

Topic 3. Economic crime: the notion, types, determinants and prevention

- 3.1. The international standards in sphere of economic crime combating
- 3.2. The notion and features of economic crime, its role in general structure of crime
- 3.3. Types of economic crime
- 3.4. Determinants and main directions economic crimes prevention

Topic 4. Criminal legal provision of economic crime combating

- 4.1. The current state of criminal legal provision of economic crime combating
- 4.2. The system and general characteristic of economic crimes
- 4.3. The forms of realization of criminal liability for economic crimes

Topic 5. Grounds of methodic of crime investigation, committed in organized forms of complicity

Fundamentals of methods of investigation of crimes committed in organized forms of complicity

- 5.1. Forensic characterization of crimes committed in organized forms of complicity
- 5.2. Typical investigative situations, versions and directions of investigation of crimes committed in organized forms of complicity
- 5.3. Tactical operations in counteracting crimes committed in organized forms of complicity

Topic 6. Grounds of methodic of economic crime investigation

Fundamentals of methods of investigating economic crimes

- 6.1. Forensic analysis of economic crimes
- 6.2. Typical investigative situations and directions of investigation of economic crimes
- 6.3. Tactics of conducting individual investigative (search) actions and the use of special knowledge