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## **PUBLIC ORGANIZATIONS AS SUBJECTS OF NON-STATE SECURITY SECTOR**

Nowadays public organizations which protect public order act in all regions of Ukraine [1]. Moreover, the current statistical data affirm the high effectiveness of their cooperation with bodies of home affairs.

For example, in Ivano-Frankivsk 640 raids were held by public organizations which protect public order in cooperation with law-enforcement officers of the local department of the militia during 6 months in 2013. As a result of the raids 309 offenders were detained on the streets and public places of the regional center. During 9 months in 2013 in Kiev law – enforcement officers of the local militia together with the members of the public organization detained 4550 persons for various administrative offences and 776 persons as suspects of committing different crimes. In 2013 in Kharkiv region 258 crimes were disclosed, 1320 protocols of administrative offences were drawn up with the help of public organizations.

Administrative enforcement measures, which can be used by public organizations of social order and state borders, are enshrined in Articles 10-11 of the Law of Ukraine “ On the participation of citizens in the protection of public order and state borders” on June 22, 2000 and Article 33 of the Typical statute about public organizations which protect public order and state borders. The latter was ratified by the Decree of the Cabinet of Ministers of Ukraine (20 December 2000, № 1872).

According to Articles 10-12 of the Law of Ukraine” On the participation of citizens in protection of public order and state borders” which was adopted on the 22 of June in 2000 such public organizations of social order and state borders can take the following actions, which are connected with measures of administrative enforcement:

1) to undertake measures together with militia officers to stop misdemeanors and crimes;

2) 2) together with militia officers and border guards to patrol and put fasts, in the streets, squares, railway stations, airports, sea and river ports, in areas of compact living of citizens, and where there are a lot of enterprises, organizations, schools, in areas where potential trespassers can appear within a district which is controlled by the State border Guard Service of Ukraine, the border zone;

3) to participate in ensuring public order during mass activities agreed in cases approved by law and executive bodies of the local self-government;

4) together with border guards to inspect possible routs of traffic offenders of the state border, places of their shelter, vehicles, places adjacent to the state border areas to determine the reasons and conditions of stay of unknown persons;

5) to participate together with law - enforcement bodies in activities aimed at combating certain types of offenses [3].

In accordance with Section 33 of the Typical statute about public organizations which protect public order and state borders, approved by the Cabinet of Ministers of Ukraine (December 20, 2000 № 1872) public organizations which protect public order and state borders, can perform the following actions connected with administrative law-enforcement :

1) to demand from citizens to observe public order, to eliminate criminal and administrative offenses, to adhere to the regime of the state border, including the territories adjacent to the state border, where the border strip is not defined;

2) to verify citizens` documents certifying their identity in case of suspicion of

their committing criminal offenses and misdemeanors;

3) together with militia officers and soldiers of the State Border Service of Ukraine to detain and deliver to the police, a division of the State Border Service, headquarters or public protection station such persons who have manifested their malicious disobedience to lawful requirements of members of the mentioned above organizations;

4) to enter into clubs, cinemas, stadiums and other public places and premises with the consent of the owners or the authorized body to prosecute the offender, who is hiding or to stop criminal or administrative offenses;

5) when taking part together with border guards in searching offenders of the state border, or with the consent of the owner of the enterprise, institution, organization or the authorized body and in the presence of their representatives to enter at any time of the day to the premises, the territory of the premises, organizations and to inspect vehicles;

6) in urgent cases to use vehicles belonging to enterprises, institutions, organizations or citizens (with their consent), except for vehicles of diplomatic, consular and other representative offices of foreign states and international organizations, special purpose vehicles for bringing helpless people to medical establishments as well as people who have suffered from accidents or offenses and require urgent medical assistance;

7) in case of violation of traffic rules by drivers, their creating a real threat to the life or health of citizens to take action to stop such offenses, to carry out verification of driver's documents that give them the right to use and drive vehicles, as well as to prevent persons who do not have any documented or are in a state of intoxication, from further driving vehicles;

8) to apply physical force, special means of personal protection and self defense in accordance with the established order [4].

In accordance with Section 34 of the Typical statute about public organizations which protect public order and state borders, approved by the Cabinet of Ministers of Ukraine (December 20, 2000 № 1872) their members together with militia officers and

border guards who are carrying out their tasks of protecting public order and state boundaries are eligible to apply physical force, special means of personal protective tear drawing and irritating weapons in cases and order stipulated by law [4].

In accordance with Section 40 of the Typical statute about public organizations which protect public order and state borders, approved by the Cabinet of Ministers of Ukraine (December 20, 2000 № 1872) their members that are allowed by law-enforcement bodies to acquire, store and use special means of self defense (tear drawing and irritating weapons), are eligible while exercising their duties together with militia officers or soldiers of the State Border Service, to use their own or given to them special equipment for:

1) self-defense and protection of citizens against attacks and other acts that endanger their life or health;

2) termination of violations of the public order and national boundaries by groups of people;

3) repulse attacks on buildings, premises of state and public organizations, enterprises, institutions, vehicles as well as citizens and their private property;

4) arrest and brought to the militia station, a division of the State Border Service, public protection stations such persons who committed criminal or administrative offenses, who are continuing to cause harm to other citizens or who are still resisting;

5) support if necessary law-enforcement officers and soldiers of the State Border Service as well as other persons who are officially exercising their public duty in order to protect the public order and the state border and combating criminal offenses [4, 5, p. 81].

On the basis of these legislative acts that determine the order of application of administrative enforcement by public organizations which protect public order and state borders, it is possible to identify the following peculiarities of their application:

1) public organizations which protect public order and state borders may apply administrative preventing measures and measures of administrative termination, but do not have the power to impose administrative penalties;

2) public organizations which protect public order and state borders may apply administrative coercion to individuals and to legal entities;

3) public organizations which protect public order and state borders may apply administrative coercion using single actions;

4) public organizations which protect public order and state borders have the right to use physical force, special means of personal protection and self defense;

5) only acting together with police officers and soldiers of the State Border Guard Service of Ukraine public organizations which protect public order and state borders may apply administrative coercion that implies the restriction of personal rights of an individual [5, p. 80].

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## **ПРИНЦИПИ ЗАБЕЗПЕЧЕННЯ НЕДЕРЖАВНОГО СЕКТОРУ БЕЗПЕКИ В СФЕРІ АДМІНІСТРУВАННЯ ПРОТИДІЇ НЕЗАКОННОМУ ОБІГУ СИНТЕТИЧНИХ НАРКОТИКІВ**

На сучасному етапі розвитку України за умов розширення недержавного сектору безпеки все більше актуальною є з'ясування принципів забезпечення недержавного сектору безпеки в сфері протидії незаконного обігу синтетичних наркотичних засобів. На сьогодні в Україні діють чисельні служби безпеки підприємств фірм і банків, а також організації, що спеціалізуються у сфері

охоронної діяльності фізичного та юридичного захисту громадян.

Спочатку з'ясуємо розуміння складові поняття конструкції принципи забезпечення недержавного сектору безпеки в сфері протидії незаконного обігу синтетичних наркотичних засобів. Правові принципи права виступають як відправні положення (правила), які входять безпосередньо в його зміст, представлені в якості найважливіших норм, реально