

ный процесс и криминалистика на рубеже веков: Сб. научн. Тр. – М.: Академия управления МВД России, 2000. С. 55.

6. Квачевский А. Обь уголовномь пресльдованіи, дознаніи и предварительномь изсьдованіи преступленій, по судебнымь уставамь 1864 года. Теоретическое и практическое руководство. Ч. 2., - СПб, 1867. С. 104.

7. Шиманський В.В. Судебный следователь в пореформенной России // Правоведение. – 1973. - № 3. С. 112.

8. Кони А.Ф. Судебные следователи. Собр. соч., т. 1. – Юрид. лит., 1966. С. 137.

9. Фойницкий И.Я. Курс уголовного судопроизводства. – Т. II. / Издательство «Альфа», печатается по третьему изданию, СПб., 1910. - СПб., 1996. 607 с.

10. Гельфанд И.А. О некоторых вопросах предварительного расследования в общесоюзном уголовно-процессуальном законодательстве. // Научн. Записки КГУ им. Т.Г. Шевченко: Юрид. сб. – Т. VII. – Вып. 11. – К., 1948. С. 52.

11. Михеєнко М.М., Шибіко В.П., Дубинський А.Я. Науково-практичний коментар Кримінально-процесуального кодексу України. – К., 1997. 534 с.

12. Тертишник В.М. Науково-практичний коментар Кримінально-процесуального кодексу України. – Харків: Арсіс, 2000. 848 с.

13. Чельцов М.А. Советский уголовный процесс. – М., 1951. 624 с.

14. Крылов И.Ф., Бастрыкин А.И. Розыск, дознание, следствие: Уч. Пособие. – Л.: Изд-во ЛГУ, 1984. 216 с.

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#### **ON THE MODEL OF THE STRATEGY OF OPERATIONAL AND EXPLORATIVE COUNTERFEIT OF CRIMINAL OFFENSES (ECONOMIC CRIMES) IN AGRICULTURE**

The focus of the study is to create a structural and logical model of the strategy of operational and investigative counteraction by operational units of law enforcement agencies to criminal offenses (economic crimes) in the agro-industrial complex of Ukraine.

To solve a scientific problem it is necessary to perform the following tasks:

to formulate theoretical and methodological bases of the strategy of operative-search counteraction to economic crimes in the sphere of agro-industrial complex of Ukraine;

to study the current state of legal regulation of operational and investigative activities, current legislation and departmental regulations and develop proposals for their improvement and alignment with the needs of practice;

to study the socio-economic and criminogenic situation in the field of agro-industrial complex of Ukraine, its impact on food security of the state;

define the concept and structure of economic crimes in the field of agro-industrial complex, provide their classification and comprehensive characteristics;

taking into account the current level of development of scientific knowledge in the field of operational and investigative activities and other sciences of the criminal law cycle to clarify the essence of operational and investigative characteristics of economic crimes in the field of agro-industrial complex and formulate its author's definition;

to study the peculiarities of the organization of operative-search activity on the objects of the agro-industrial complex of Ukraine, to formulate proposals on the improvement of their operative service and to develop its author's variant for application in modern conditions;

identify areas for improvement of information and analytical support, forecasting and planning of operational and investigative activities of operational units to combat these crimes;

in the sphere of interaction of operative divisions among themselves, other law enforcement and controlling bodies in the course of operatively-search counteraction to the specified crimes to define its forms, methods, levels; to suggest ways to increase the effectiveness of such interaction, taking into account previously developed research and changes made by the new Criminal Procedure Code of Ukraine;

to develop conceptual provisions that determine the specifics of the organization and tactics

of operational and investigative counteraction to economic crimes in the field of agro-industrial complex of Ukraine;

to improve the modern methodology of organization of operative service of objects of agro-industrial complex;

develop recommendations aimed at improving the tactics of documenting and implementing operational materials and their use during the pre-trial investigation;

identify areas for improving the interaction of operational units with investigators in the course of covert investigative (search) actions, as well as overcoming the resistance to the criminal environment.

Analyzing the laws and regulations adopted during the years of Ukraine's existence as an independent state, the speeches of the leaders of our state, we can conclude that there is a lack of understanding in Ukraine of the need for a systematic approach to combating economic crime.

The priority task is to combat theft and misuse of budget funds allocated by the state in support of various sectors of the economy, including state programs for the development of agriculture in Ukraine, is one of the priorities. Such objects are the executive bodies that implement the state socio-economic policy in the field of agriculture; large agricultural enterprises; other enterprises of different organizational and legal forms, which carry out their activities in the field of agro-industrial complex. The country's agricultural sector, as an analysis of law enforcement shows, remains one of the most criminal of all sectors of the economy. The main reason lies in the fact that criminal structures are trying to actively participate in the distribution of budget funds that are allocated for the development of the agro-industrial complex.

Comparing the indicators of work on the detection of crimes in the field of agriculture for 2014-2019, we can conclude that the effectiveness of this area has decreased. The reasons for the decrease in the effectiveness of crime detection in the agro-industrial complex are the following factors:

- lack of a balanced state policy on the development of the agricultural sector of the economy, which is formed, not always in accordance with the real needs of Ukraine, as well as the demand for certain types of agricultural products;

- lack of effective software to eliminate the causes and conditions that have led to the constant criminalization of the agricultural sector of the economy and reduce the level of proper control and non-use of adequate criminogenic measures by the Cabinet of Ministers;

- lack of state support for technical and technological re-equipment of production and development of market infrastructure. Reduction of expenses in support of domestic agricultural machinery and the Government's guarantee for the purchase of foreign equipment;

- the existence of an intersectoral price disparity inherent in the whole economy. The argument may be the difference in prices several times when selling the same groups of goods [3].

In the conditions that have developed, it is necessary to organize the work of operational units, taking into account the achievements of positive experience in the areas noted above. The concentration of efforts in the following priority areas will make it possible to increase the efficiency of operational-search activities in the field to identify economic crimes in the agro-industrial complex: ensuring the savings of budgetary funds allocated for the development of the agro-industrial complex; identification of malfeasance, including facts of illegal gain; identifying the facts of misuse of subsidies and subventions that are allocated from the state and regional budgets to support agricultural producers, including within the framework of state programs and targeted programs for the development of the agro-industrial complex; identification of crimes committed in the field of agricultural land use in the course of business processes in the food and processing industry [4, c. 197].

In order to establish the signs of crimes, it is worth classifying the methods of committing crimes according to the origin of financial funds that acted as the object of encroachments, and also to determine the characteristics of the subjects - recipients of funds.

As the subjects of crimes who commit these crimes in the field of the agro-industrial complex, officials of state bodies who carry out the functions of implementing the state agrarian policy can act; heads of agricultural enterprises; individuals in the status of individual entrepreneurs (farmers), other individuals who are recipients of social assistance [4, c. 235].

Conclusions. Criminal offenses of an economic nature, which are committed at enterprises of the agro-industrial complex, have a number of characteristic features due to the specifics of production and economic activities of these objects of the Ukrainian economy.

The modern criminogenic situation in the agricultural sector is characterized by the follow-

ing features: an increase in the number of detected crimes, the presence of a significant amount of latent crime; the prevalence of organized crime; significant material damage caused by criminal offenses.

The study of the methods of implementation of the investigated category of crimes showed that they are distinguished by significant diversity, special sophistication, active adaptation of criminals to new forms and methods of entrepreneurial activity.

The above data, which characterize the personality of criminals, must be taken into account when identifying, preventing and documenting the analyzed category of crimes, organizing proper operational services.

The study made it possible to determine the low efficiency of the activities of the operational units of the National Police in countering economic crimes in the studied area. Most researchers testify to the need to provide operational units with scientifically based recommendations on combating agricultural crime in all areas of their activities.

1. Law of Ukraine On State Support of Agriculture of Ukraine Vidomosti Verkhovnoi Rady Ukrainy (VVR), 2004, № 49, p.527);

2. State support of farms. Name from the screen. [Electronic resource]. - URL: <http://minagro.gov.ua/node/3720>;

3. Syuravchik V.G. Prevention of mercenary crimes in the agricultural sector of Ukraine's economy. abstract of the dissertation for the degree of Candidate of Law. Kyiv - 2007. [Electronic resource]. - URL: [ydisser.com/files/98874983.doc](http://ydisser.com/files/98874983.doc);

4. Pcholkin V.D. Disclosure of crimes in the food industry: a monograph. - Odessa: Odessa Law Institute of Kharkiv National University of Internal Affairs, 2005. - 376 p.

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## **ON CONCEPTUAL PRINCIPLES OF CRIMINAL PROCEDURAL MEANS FOR ENSURING THE SAFETY OF CUSTOMS OFFICERS OF UKRAINE**

Defining the conceptual foundations of criminal procedural means of ensuring the security of customs officers of Ukraine requires coverage of theoretically formulated and empirically proven provisions and recommendations and can be formed in the following areas [1, p. 179-183]:

The first direction "Theoretical and legal principles of security of customs officers" is covered by three blocks [2, p. 43; 3; 4, p. 27].

Block 1.1 "Scientific developments to ensure the safety of customs officers" examines the state of scientific development of issues of customs officers.

As a result of the analysis of scientific publications on the issue of ensuring the safety of law enforcement officers in general and customs officers in particular, the types of threats and possible ways to improve this activity are identified.

Block 1.2 "Legal regulation of security of customs officers".

In order for customs officers to successfully protect the rights and freedoms of citizens, they need to professionally protect themselves, and for this they need to know the relevant legislation, be physically and technically prepared, skillfully and honestly perform their duties, even if someone does not like it. - be assured that their conscientious work will be duly appreciated and that the honor, dignity, health and property of them personally and their loved ones will be safely protected.

An important condition for the legal protection of customs officers is their legal actions. A study of legal protection issues has shown that it is impossible to eliminate the undesirable consequences only by creating safe conditions, because customs officers often become the causes of violations of the law.

Block 1.3 "Guarantees of legal protection of customs officers".

Some guarantees of legal protection of customs officers remain undefined and undisclosed in essence. In this regard, the law should provide for the improvement of such measures to ensure