

## Coordinating Activity of the Prosecutor's Office in the Sphere of Criminality Prevention of Ukraine

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### ABSTRACT

The article deals with the actual problems of the coordination activity of Ukrainian prosecution agencies in the fight against crime, which require urgent solution. They include insufficient legal support of the coordination activity of prosecution agencies; inadequate level of methodological developments regarding these issues; implementation by prosecutors of only a few directions and forms of the coordination activity; inadequate organization of the coordination activity; absence of effective criteria to assess its effectiveness. At the same time, the coordination activity of prosecution agencies is regarded as a component of criminological function of prosecution agencies.

Attention is drawn to the fact that criminological function, which is not directly enshrined in the legislation of Ukraine but is immanent to all activities of prosecution agencies that include maintenance of public prosecution, representation, supervision over compliance with laws by the agencies of inquiry and pre-trial investigation, supervision over the implementation of laws in the execution of judicial decisions in criminal matters, and coordination.

### KEYWORDS

Criminological function, crime, coordination activity

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## Introduction

The implementation of public policies, which is aimed at ensuring an effective response to crime, protection of constitutional rights and freedoms, requires the state to create an appropriate system of agencies (entities) that are known in legal acts and scientific literature as law enforcement agencies. Such agencies include Ukrainian prosecution agencies, which have a specific feature of their legal status as the subjects involved in the fight against crime. Their task as law enforcement agencies is both the fight against crime and coordination of activities of other law enforcement agencies in this area of public policy. Feature of the law enforcement agencies and all the security agencies is their legitimate right to use force to protect the citizens and the state. On the way to the EU integration, Ukraine faces substantial challenges in the area of security.

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The need for coordination activity is caused by the modern practice of law-enforcement activity, which, unfortunately, is characterized by duplication of powers of law enforcement agencies, lack of coordination of their actions, imbalance of forces and means used to achieve the objectives.

Besides, despite the significance and importance of the coordination activity of Ukrainian prosecution agencies in the fight against crime, this sphere has a range of problems, which require urgent solutions. They include insufficient legal support of the coordination activity of prosecution agencies; inadequate level of methodological developments on these issues; implementation by prosecutors of only a few directions and forms of the coordination activity; inadequate organization of the coordination activity, and, sometimes, a formal attitude to it; absence of effective criteria to assess its effectiveness, etc. In modern conditions of economic reforms, the issue of criminalization of social relations in Ukraine is particularly actual (Alyona N. Klochko, Nikolay I. Logvinenko, Tatyana A. Kobzeva, Elena I. Kiselyova, 2016).

The problem of the coordination activity of Ukrainian prosecution agencies was investigated by such scientists as A.M. Bandurka, V.V. Golin, Yu. M. Grosheva, L.M., Davydenko, V.V. Dolezhan, A.I. Ivanov, A.G. Kalman, P.M. Karkach, T.V. Kornyakova, S.S. Miroshnichenko, N.K. Yakymchuk and others, but many issues in this area remain unresolved. Implementation of the modern state policy and strategy in the sphere of fighting crime, which are focused, primarily, on the coordination of enforcement actions, eradication of duplication of powers of law enforcement agencies on the one side, and the lack of modern scientific research on the subject, on the other side, determine the relevance of this study.

The most important fact is that the coordination activity of prosecution agencies in the fight against crime relates to criminological function of prosecution agencies, which almost did not become the subject of a special study. According to S.S. Miroshnichenko, theoretically, the warning function (criminological function), with an important conceptual nature and multi-aspect practical aspect, belongs to the least explored issues in the organization and activities of prosecutorial system. In numerous publications, its functions are reduced to the prosecutor's supervision over compliance and correct application of laws, which is the main social and legal nature of its activity (Miroshnichenko S.S., 2008).

At the same time, the importance of criminological knowledge component and of prosecution activity is determined by the fact that despite the lack of a direct enshrinement of crime prevention function in the legislation with respect to prosecution agencies, it (the warning function) is characteristic of all areas of their activity. These agencies belong to the state special subjects of criminological prevention with universal competency (V.N. Burlakov, B. V. Volzhenkin, 2005).

## Research Methodology

The methodological basis of the article is a set of methods and techniques of scientific cognition. The Ukrainian society is in a position to create new socio-economic and political relations, it, of course, requires an appropriate system of law enforcement bodies, ready to resist criminality. As a general scientific method, a systematic approach is used, which allowed us to determine the problematic issues of coordination activity of prosecutor's office in the sphere of criminality prevention. With the help of logical-semantic method approved by the need to monitor compliance with current legislation in accordance with both the activity of prosecutor's office and the other law enforcement authorities in the fight against criminal manifestations.

Documentary analysis made it possible to develop proposals and recommendations for further development of legislation regulating the functioning of prosecutor's office as a subject of crime prevention. Historical-legal method is used in the

process of identifying the ways to develop legislation on the powers of the prosecutor's office to coordinate the activities of law enforcement agencies in the fight against criminality. In the course of studies of the main ways of the system of the prosecutor's office development in Ukraine, a comparative legal method was used. Assessing the historiography of the problem, it is necessary to recognize the existence of certain theoretical studies, which developed the considered problematic to a certain extent.

The normative basis of the work is the Constitution of Ukraine, Law of Ukraine on the Procuracy, international legal acts, laws of Ukraine, as well as the departmental normative legal acts of ministries and departments of Ukraine. The authors also addressed the relevant legal journalism, on pages of which separate questions are being discussed concerning the definition of criminological function of prosecution. The statistic and archival materials relating to the questions of prosecutor's office organization in Ukraine constitute the empirical base of an article research.

## Results

The scientific novelty of the obtained results is that a comprehensive analysis allowed formulating scientifically substantiated position of the theoretical and applied character, which is entirely directed and can be practically used to solve the problem, which is subject of research.

We explored the historical aspect of the formation, development and current legal regulation of the coordination activity of prosecution agencies. The article compares the legislation on coordination activities of Ukrainian prosecution agencies with the legislation in the countries of the Commonwealth of Independent States and countries outside of the CIS. Based on the study of different doctrinal approaches, we formulated proprietary concept of "the coordination activity of prosecution agencies in the fight against crime" and "the coordination meeting", defined forms of the coordination activity, and differentiated between such concepts as "coordination", "harmonization", and "interaction". Based on the conducted study, we suggested and recommended to improve the legal regulation of the coordination activity of prosecution agencies in the fight against crime. In particular, we propose to develop and pass the Law of Ukraine "On the Coordination of Law Enforcement Agencies in the Fight Against Crime", which will consolidate goals, objectives, principles and forms of coordination, legal status and powers of a prosecutor as a coordinator of law enforcement agencies in the fight against crime, the criteria for the effectiveness of the coordination. It will also provide an exhaustive list of law enforcement agencies, which will be covered by this law.

The Prosecutor's Office of Ukraine takes a leading role in counteracting criminality which is manifested in various forms. However, the coordination activity assumes a particular importance in this sphere. Coordination activity of Prosecutor's Office in the sphere of counteracting criminality is based on a coherent system of interrelated and mutually agreed principles. These principles define its essence and significance, help to overcome the gaps of normative regulation and provide the effectiveness of Prosecutor's Office activity. Along the authorities (rights and obligations) do not allow to show objectively the place, role and characteristics of one or another subject of legal relations. Thus, we consider the following as the peculiarities of the legal status of the prosecution authorities as the subject of counteraction of criminality: 1) the main purpose of the prosecution authorities is to guard and protect the rights, freedoms and lawful interests of individuals and the rights and freedoms of legal entities from criminal and other illegal encroachments; 2) the prosecution authorities are not militarized (except military), although prosecutors and investigators of the Prosecutor's Office have the right to carry firearms, but for prosecutors and investigators it is provided the increased demands on the professional and moral qualities, education, etc.; there are foreseen special ranks (ranks), special uniform, as well as increased demands to the service discipline; 3) prosecution authorities not only on their own and directly prevent and investigate crimes, but also to coordinate the activities of other law enforcement authorities on these issues. The procedures of coordination activities of the prosecution

authorities are focused on: early identification of enforcement problems, the solution of which requires coordinated actions: in the definition of the priority actions, their subject composition and authorities, in the order documentation; in the distribution of the competencies between the parties of joint action. Also, these procedures are aimed at the preparation and bringing to uniform standards similar in content and form administrative actions; prevention of abuse of official position; strengthening of the responsibility of coordination activities managers and performers for the achieving of the ultimate goal. However, it should be noted that, taking into account insufficient legal regulation of the coordination activities of the Prosecutor's Office in the field of counteracting criminality the current normative consolidation of its principles takes place not at the legislative, but at the departmental level. In this regard, taking into account European experience, it is offered the appropriate changes to the current legislation of Ukraine concerning the definition of the function of crimes prevention as a separate direction in the activities of the Prosecutor's Office.

## Discussion

In accordance with the Constitution of Ukraine and the Law of Ukraine "On the Procuracy", the prosecution agencies support the state prosecution in court; represent the interests of a citizen or the State in court in cases determined by law; supervise the compliance with laws by authorities that conduct operative-search activity, inquiry and pre-trial investigation; supervise the compliance with laws in the execution of judicial decisions in criminal cases, as well as the apply other coercive measures which entail restrictions on personal freedom. In each direction of the prosecutors' work, there are criminological parties that are directed to the removal (neutralization) of causes and conditions of committing crimes, and joined together, form a single criminological function of prosecution. It is focused on the work of prosecution agencies on the prevention, mitigation or elimination of criminogenic phenomena and processes, which determine the crime, prevent potential crimes at different stages of the criminal formation and differ in specifics of prosecutorial discretion and methods of preventive purpose (Ivanov A.V., 2013).

Crimes prevention is carried out by neutralization or elimination of criminogenic factors, namely, the causes and conditions of crime commitment. Basically, in the legal literature, the concept of "prevention" and "prophylaxis" are treated as synonyms, but some authors make a distinction between them. Prevention is a broader concept and includes prophylaxis (the stage of forming the intention), preclusion (preparation stage), suppression (the stage of attempt). While preventing the crimes the prosecution authorities affect the certain objects, exposing them to change, and in such way they prevent crimes. When is possible to prevent a crime, criminality undergoes the favourable for the state and society changes. The criminality rate reduces the number of crimes that could be committed, but did not take place due to the preventive measures decreases. A possible harm to public relations, protected by criminal law, does not occur if it is implemented the criminological prevention mechanism. Prosecutor's Office, as the subject of prevention of crimes affects legally protected objects. The preventive activities of the prosecution authorities are realized mainly in the form of criminological prophylaxis and only partially - in the form of prevention of prepared crimes and suppression of the started crimes.

The theoretical basis of the concept of general prevention function (general prevention) consists in the fact that such prevention is achieved by the action of an enforceable criminal legal prohibition and is punishable for certain categories of citizens. Crime prevention is the main component of the scientific foundations of criminology, as namely the prevention of crime commitment is the main purpose of criminological researches.

Under the term of criminological function it is necessary to understand the complex of theoretical concepts of criminological sciences about the nature and the scope

of crime prevention and regulatory requirements for the implementation of tasks of the subject prevention in a practical field. The application of theoretical positions about criminological function provides the opportunity to see the scale of the tasks that are assigned to the prosecution authorities in relation to the need to deter criminal manifestations. The activities of the prosecution authorities are directly related to criminological activities. In the process of implementation of criminological functions of prosecution authorities there are appeared the diverse areas of its work on the prevention of criminal manifestations in society. Knowledge of criminological functions is a kind of theoretical framework that allows us to see the role and function of the prosecution authorities in the sphere of counteracting criminality systematically, in its various aspects.

Many scientists agree that the key areas of criminological function of prosecution are criminological analysis of crime, participation in the development of measures for its prevention, supervision over compliance with the legislation on crime prevention, promotion of preventive public work, participation in legal education and coordination of law enforcement agencies (Golina V.V., 1981).

Therefore, we will consider exactly the coordination activities of prosecution agencies as an integral part of their criminological function.

The history of Ukrainian legislation on procuracy indicates that the Ukrainian prosecution was created to supervise compliance with laws and in the interests of the fight against crime. This, in particular, was mentioned in the Regulation on the prosecution authority in the USSR, approved by the All-Ukrainian Central Committee on June 28, 1922. At the same time, considerable attention was paid to the coordination. It, primarily, concerned the detection of violations of laws by joint efforts of prosecution and the Workers' and Peasants' Inspectorate (Rott V. A., 1924). According to T.V. Kornjakova, "there were even cases of direct subordination of individual control bodies to prosecution agencies" (Kornjakova T.V., 2004). These findings were confirmed by A.L. Kononov who indicates that the Bureau for Supervision over Labor Affairs was established at the Commissariat of Labor. It was subordinated to specialized procuration on labor affairs (Kononov A.L., 1993). The instructions of People's Commissariat of provincial prosecutors ordered to periodically hold a provincial conference on the fight against crime with a commission consisting of a public prosecutor (chairperson) and members of the meeting - the court chairperson, the chairperson of the Revolutionary Tribunal and the head of the provincial Unified State Political Department. The purpose of these meetings was to bring together all the authorities in the fight against crime, develop necessary measures in this area, discussions on proper operation of correctional labor institutions, criminal investigation department and the police (Ezhenedelnik sovet'skoy yustitsii, 1922).

The scientific literature of that time suggested that "the most important functions of the prosecutor's office include both the fight against violations of the law and the organization of this fight". It was noted that "meetings on the fight against crime represent one of the forms of organizational work ... and their purpose consists in conducting joint measures that are coordinated by all agencies engaged in fighting crime" (Lagovier N. , 1929).

During mass repressions and the war years, the forms of joint activities became minimized and eventually disappeared altogether from the practice. The legacy of the Soviet totalitarian rule, among other things, maintained the role of the prosecutor's office as one of the most important pillars of the statehood (Gudkov, L., 2013).

It should be noted that although in the Regulations on the prosecutor's supervision dated 1955, there were no rules on the powers of the prosecutor's office for the coordination of activity of law enforcement agencies, in practice this function continued to be implemented by the prosecution agency. Thus, the order of the Prosecutor General of the USSR as of June 30, 1962 "On measures for further improvement of the activity of the prosecution agencies to combat crime and violations of the law" demanded "to eliminate inconsistencies in the work of the prosecution agencies, Court and the Ministry of Interior in the fight against crime, regularly discuss the criminal situation

and to develop concrete measures to coordinate the investigative and search actions aimed at full disclosure of crimes and elimination of defects in the work of administrative authorities and strengthening the fight against crime” (Sbornik deystvuyushchikh prikazov i instruktsiy Generalnogo prokurora SSSR, 1966).

For the first time, the function of the coordination of activities of law enforcement agencies in the fight against crime was assigned to the prosecuting authorities by the Law “On the Procuracy of the USSR” (1979). In particular, Article 3 of this Act stated that the Prosecutor’s Office coordinated the activity of law enforcement agencies in the fight against and other offenses. At the same time, coordination covered the activity of the prosecution agencies, the Interior, Justice and the courts, and the prosecutor’s office itself acted as the main coordinating body. In connection with the legislative embodiment of this function in the 80s years, central and local prosecuting authorities actively used it in practice, which has led to the significant strengthening of cooperation between law enforcement agencies on combatting crime and its prevention.

At the same time, according M.K. Yakymchuk, in the early 90s, the cooperation between law enforcement agencies weakened. The coordination activities were not held regularly, which undoubtedly weakened the fight against crime (Yakimchuk M.K., 2002).

As for the first edition of the Law of Ukraine “On the Prosecutor’s Office” (1991), in general, it did not mention the function of the coordination of the prosecution agencies on combatting crime. But in 1993, the Article 29 of the Law of Ukraine “On Prosecutor’s Office” was supplemented by the third part, according to which “when supervising, the prosecutor shall take measures to harmonize actions of law enforcement agencies to combat crime”. Later the concept of “the fight against crime” was changed to “fight against criminal offences”, and the article remains unchanged until now.

The final consolidation of the coordination function of the prosecution agencies at the legislative level occurred in 2001 in connection with the adoption of the Law of Ukraine “On Amendments to the Law of Ukraine “On the Prosecutor’s Office”, where the Article 10, with subsequent amendments was called “Coordinating powers of public prosecution in the field of fight against crime and corruption” and established that the Prosecutor General of Ukraine and subordinate prosecutors coordinate the activity of law enforcement agencies on the fight against crime and corruption to improve the prevention of crime and corruption. This basic form of coordination of law enforcement agencies are coordination meetings of their heads chaired by the relevant prosecutor, and the decision of such meeting is mandatory for specified law enforcement agencies.

In addition to the legislative base, the legal framework for the prosecution agencies in this sphere are the Order of the Prosecutor General of Ukraine as of January 16, 2013 No.1/1gn “On the coordination activity of law enforcement agencies to combat crime and corruption”, and the Regulations on the coordination of law enforcement agencies to combat crime and corruption, approved by the joint order of the Prosecutor General of Ukraine, the Ministry of Internal Affairs of Ukraine, the State Tax Service of Ukraine, the Ministry of Defense of Ukraine, the State Customs Service of Ukraine, Administration of the State Border Service of Ukraine, State Penitentiary Service of Ukraine as of April 26, 2012.

The importance of the coordination activity of the prosecution agencies in the fight against crime is evidenced by the fact that this activity is envisaged by the Article 25 of the new draft Law of Ukraine “On Prosecutor’s Office”, in which, inter alia, states that the Prosecutor General, heads of regional and local prosecutors’ offices, overseeing compliance with the laws of authorities engaged in operational- search activity, inquiry and pre-trial investigation, coordinate the activity of law enforcement agencies of the corresponding level in the sphere of the fight against crime.

It should be noted that the legislation of Ukraine in this direction of public policy was developed, taking into account the legal expertise of the CIS countries, primarily Russia. The coordination activity of the prosecution agencies of Kazakhstan is regulated by the Article 8-1 of the Law of the Republic of Kazakhstan “On the Prosecutor’s Office”, which indicates that coordination of law enforcement and other government agencies on the enforcement of law and order and the fight against crime is carried out by prosecution

agencies (Gazette of the Supreme Soviet of the Republic of Kazakhstan. 1995). The same rules are enshrined in the laws on the Prosecutor's Office in Georgia, Kyrgyzstan, Tajikistan, Uzbekistan, and the Republic of Belarus. The coordination activity of prosecution agencies in the majority of countries of Western Europe is not so pronounced. Thus, the activity of the European Public Prosecutor's Office implies the maintenance of the prosecution in court for crimes of varying severity, including those that are transnational in nature, protection of financial interests of the European Union, etc. (Vervaele J.A.E., 2014).

However, analysis of the norms of the Criminal Procedure Code of the French Republic suggests that the main coordinator of law enforcement agencies in the fight against crime is the Public Prosecutor. According to the Law of the Federal Republic of Germany "On the Judicial System", prosecutors perform the coordination of law enforcement agencies. In addition, differences in the consolidation of the legislative powers of the prosecutor in the various EU member states represent an issue for the European Union, because the same type of activity is allowed for the public prosecutor in one country and may be prohibited in another (Conway G. (2013).

After some analysis of the organization and activities of the Prosecutor's Office of European countries, we can conclude that the model of EU Prosecutor's Offices give only a general idea about the functions of these law enforcement authorities. Each national Prosecutor's Office has its own special functions and authorities. This is explained by the traditions of national legal culture and other objective and subjective factors. They determine the differences not only in the range of functions, but in the criteria for their classification. The prosecutor in the developed democratic countries acts both as the dominant subject of criminal proceedings and as the participant of civil proceedings. Numerous functions inherent in prosecutors around the world can be divided into: the function of criminal prosecution and related functions; supervision over the activities of law enforcement and penitentiary authorities; participation in civil proceedings, and other similar functions.

The implementation of the prosecution is in fact the only universal function of the Prosecutor's Office of many countries, but the authorities of prosecutors in prosecution are not the same in different countries. For example, the Prosecutor's Office in Germany has a dominant position in criminal prosecution. The French Prosecutor's Office has no less authority in criminal proceedings.

After Ukraine's accession to the Council of Europe the issue of Ukraine's implementation of its obligations under the reform of the Prosecutor's Office is one of the main challenges facing the country. Parliamentary Assembly of the Council of Europe constantly reminds about the strong commitment of Ukraine, on the basis of changes in the Basic Law, clearly define the place of the Prosecutor's Office in the mechanism of governmental power, its role in society, legal status, principles and mechanisms of interaction with other branches of government. The main aim of the Council of Europe in this case is the abolition of the supervisory functions of Prosecutor's Office and pre-trial investigation on the example of the countries of the European community.

At the same time, it should be noted that the application by the Prosecutor's Office of coordination of activities is only the initial stage of the reaction to an offense, after that the other functions are implemented: criminal prosecution, the representation in the court of the interests of citizens and the state, and the other functions. Taking into account such an approach the criminological function should take a leading place among the other functions of the Prosecutor's Office.

For proper understanding of the coordination activity, it is first necessary to define the concept of "coordination", its relation with the concepts of "harmonization" and "interaction". Legislative notion of the coordination activity of law enforcement agencies is not defined. In the academic explanatory dictionary of the Ukrainian language, this term refers to the coordination, estimating relationships, contacts in the activities of people between the actions, concepts, etc. In legal literature, the concept of "coordination" is used in the case when it comes to the agreed joint actions of various agencies that are involved in the fight against crime. The coordination of law enforcement agencies consists

in the fact that it can be used to unite efforts in the fight against crime and to strengthen the rule of law (Kozachuk O., 2014). At the same time, according to M.V. Kosyuta, the concept of “coordination” and “harmonization” are different. Coordination is primarily a purposeful activity, resulting in the harmonization. When we talk about the coordination of law enforcement agencies within the meaning inherent in the Law “On Prosecutor’s Office”, we understand it, in the first place, as the collaboration of participants and, secondly, as the activity of the prosecutor that is aimed at the establishment of such cooperation, when the prosecutor acts as “the leading subject of coordination” (Kosyuta M.V., 2002).

In our opinion, the concepts of “coordination” and “interaction” are also not identical. They differ because in case of coordination, one side organizes the relation, and the other only fulfills the conditions of this relation. Whereas, during the interaction, both sides organize relations. Another difference between coordination and interaction consists in the fact that the interaction is organized between two or more subjects of the joint activity, and the process of coordination requires the participation of at least three entities, one of which is the coordinator.

At the same time, in relation to the coordinating role of the prosecutor, it should be noted that it does not diminish the value of other law enforcement agencies, does not make them dependent and under the control of the prosecution agencies. These entities operate independently, equally to achieve a common goal together.

Thus, we propose to consider the coordination of the prosecution agencies on the fight against crime as the activity of prosecutors, who are endowed with the appropriate organizational powers, and their activity is aimed at harmonizing the functioning of independent entities in the presence of equal relations between them and a common goal.

The Law of Ukraine “On Prosecutor’s Office” states that the coordination powers of the prosecution agencies are implemented through joint meetings, creation of interagency working groups of the agreed activities, analytical activities. It is clear that the above list is not exhaustive. We think that the forms of the coordination activity of law enforcement agencies should include: 1) coordination meetings of heads of law enforcement agencies; 2) exchange of information on the fight against crime; 3) publication of joint orders, instructions, preparation of newsletters, 4) joint visits to the regions for coordinated actions, audits, and to assist local law enforcement agencies in the fight against crime; 5) study and dissemination of good practice; 6) establishment of investigative teams to investigate specific crimes; 7) conducting targeted joint activities to identify crimes as well as the causes and conditions that contribute to them; 8) the mutual use of capabilities of law enforcement authorities to improve the skills of employees, conducting joint workshops, conferences; 9) development and adoption of coordinated plans for the coordination activity and other elaborated forms.

At the same time, the basic form of coordination, as stated in the law, is a coordination meeting, which we propose to define as a collegial body, entrusted with the responsibility to develop the main directions of preventing and combating crime, which allows combining efforts in the fight against crime to achieve effective results in the shortest possible time at the lowest cost.

The coordination activity of the prosecution agencies is of great importance in the international law enforcement, for example, regarding crimes in the field of immigration. It is necessary to coordinate the activity both of the law enforcement agencies and of the migration services of several countries (Manuel K.M., Garvey T., 2013). The fight against criminality, which bears interethnic nature, also requires coordination of the activities of law enforcement agencies and national government agencies of different countries (Monar J., 2013). Criminological security is studied as a security of institutions, property and people from external and internal threats. This security is achieved by legal means (Kulich A.N., Klochko A.N., 2013).

Regarding the coordination of law enforcement agencies by the prosecutor’s office, it should be noted that the Ukrainian legislation does not provide for a clear definition and a list of law-enforcement bodies. The issue of attribution of certain law enforcement agencies did not receive a single approach in the scientific literature,

because scientists offer different definition of “law enforcement agencies”, providing different lists regarding them; indicate various special features of the law enforcement agencies. These circumstances are a reason for many problems, including those associated with the coordination activity.

## Conclusions

Concluding the consideration of the coordination activity of the prosecution agencies in the fight against crime, we think that these issues should be resolved at the legislative level by adopting a special Law of Ukraine “On the coordination activity of law enforcement agencies on the fight against crime”, which, in our opinion, should: firstly, provide an exhaustive list of law enforcement agencies, on which the effect of the law will extend; secondly, to define the concept of the coordination activity of law enforcement agencies, purpose, objectives, and principles of such coordination; thirdly, to define the legal status of the coordinating body (its objectives, functions, powers); fourth, to define areas and forms of coordination, fifth, to define the criteria of effectiveness of the coordination activity. Moreover, we consider it necessary to support the proposals of the scientists who propose to determine the function of crime prevention as a separate direction in the work of prosecution agencies and enshrine it in the Law of Ukraine on the Procuracy. When adopting such a law it is necessary to proceed from the following. The Prosecutor's Office since its creation were assigned, along with the implementation of coordination functions, the other functions, which although related to the coordination activities, but having mainly organizational character. In order the prosecution authorities could carry out the coordination activities, they need to have special powers. This is an indispensable condition for the implementation of any functions. The absence, lack of powers is a major obstacle in the counteracting criminality. The competence of the prosecution authorities is directly related to its legal status – with the legal status of prosecution authorities and institutions with a set of powers for the implementation of their functions, reflecting their role and place in the society and state. Coordination activity of the Prosecutor's Office is very important direction of the counteracting criminality, but a resource of such activities is not being used enough today. An analysis of the practice shows that the institution of coordination activity of the law enforcement authorities on counteracting criminality has significant shortcomings and gaps. Often the carried out coordination activities become a formality and do not reach its goal. The responsibility of the heads of law enforcement authorities for the failure to perform the agreed decisions actually is not implemented due to the lack of legal mechanisms. Meanwhile, the criminality growth is continued in the country to, corruption and terrorism remain widespread.

The process of the development of the Prosecutor's Office Institute in Europe was accompanied and is accompanied by a variety of both positive and negative developments; however, it should be an example for Ukraine, as reached the maximum level of the development and concentrating its efforts mainly on the issue of human rights protection.

## Disclosure statement

No potential conflict of interest was reported by the authors.

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