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## The debate on the interaction of authorized units in the investigation of transnational crimes: a critical review

### Наукова полеміка стосовно взаємодії уповноважених підрозділів під час розслідування транснаціональних злочинів: критичний огляд

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#### Abstract

The article is devoted to the study of the essence of interaction between authorized entities in the investigation of criminal offenses committed by transnational organized criminal groups. The authors focus on the fact that this type of cooperation has always caused scientific discussions and practical differences. The methodological basis for the research is a set of general and specific methods and techniques of scientific knowledge: dialectical, monographic, logical and semantic, structural and functional, grouping, formal and legal documentary analysis, system and structural, modelling. It is stated that all scholars defined interaction in view of the existing system of law enforcement agencies and their inherent functions. At the same time, the subject of interaction is always specific, and full interaction occurs when the subject with managerial authority treats the hierarchically subordinate entity as a complete entity without

#### Анотація

Стаття присвячена дослідженню сутності взаємодії уповноважених суб'єктів при розслідуванні кримінальних правопорушень, вчинених транснаціональними організованими злочинними групами. Автори акцентують увагу на тому, що цей вид співпраці завжди викликав наукові дискусії та практичні розбіжності. Методологічною основою дослідження є сукупність загальних і специфічних методів і прийомів наукового пізнання: діалектичного, монографічного, логіко-семантичного, структурно-функціонального, групування, формально-правового, документального аналізу, системно-структурного, моделювання. Встановлено, що всі вчені визначали взаємодію з огляду на існуючу систему правоохоронних органів та притаманні їм функції. При цьому суб'єкт взаємодії завжди специфічний, а повноцінна взаємодія можлива

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ignoring its subjective features in the process of their common activity. The importance of cooperation between international law enforcement and police organizations, for coordinating efforts to combat crimes of a transnational nature was highlighted. The authors' concept of law enforcement cooperation during the investigation of crimes committed by transnational organized criminal groups is presented.

**Keywords:** transnational organized criminal group, criminal offenses, interaction, law enforcement agencies, investigation, investigative (search) actions, planning.

## Introduction

Investigating crimes committed by transnational organized groups is a very complex process in many aspects. In particular, this activity is multi-stage in the procedural sense, diverse in the technical, methodical and tactical aspects. Accordingly, there is often a need to combine the efforts of several officials, divisions, bodies, and departments to achieve a common goal – ensuring quick, objective, comprehensive, effective and impartial investigation of such crimes. In addition, the necessity is determined by the complexity of the mechanism of such offenses.

The main task of the interaction of authorized subdivisions when investigating crimes committed by transnational organized groups is to prosecute those offenses, bring the perpetrators to justice, compensate for the damage caused by such offenses, and restore the violated rights and interests of citizens and legal entities.

The interaction between various law enforcement agencies has always caused scientific discussions and practical differences in connection with different understandings of the need to use the specified category. In fact, if for some entities cooperation is sufficiently relevant in their activity, then for others it is sometimes an unnecessary burden. At the same time, it should be noted that the commission of criminal offenses by transnational organized criminal groups cannot be effectively investigated without the participation of various units both in Ukraine

лише тоді, коли суб'єкт, що володіє управлінськими повноваженнями, ставиться до ієрархічно підлеглого суб'єкта як до цілісного, не ігноруючи його суб'єктивних особливостей у процесі спільної діяльності. Було підкреслено важливість співпраці між міжнародними правоохоронними та поліцейськими організаціями для координації зусиль у боротьбі зі злочинністю транснаціонального характеру. Представлено авторську концепцію взаємодії правоохоронних органів під час розслідування злочинів, вчинених транснаціональними організованими злочинними групами.

**Ключові слова:** транснаціональне організоване злочинне угруповання, кримінальні правопорушення, взаємодія, правоохоронні органи, розслідування, слідчі (розшукові) дії, планування.

and abroad. In view of the above, there was an urgent need to investigate the above issues.

At the same time, it is worth noting that interaction is one of the main prerequisites for ensuring any activity, and especially for the realization of criminal proceedings of each category, as it is logically constructed and aimed at achieving common objectives that will most effectively implement relevant procedural actions into reality, as well as ensure the optimal result of the investigation.

Besides, the commission of criminal offenses by transnational organized criminal groups cannot be effectively investigated without the participation of various units both in Ukraine and abroad. This is explained by the fact that certain illegal acts are committed in different states near, as well as far abroad. In the context of the above, in our opinion, there is also a need to involve interstate law enforcement organizations (Interpol, Europol) in cooperation.

Consequently, the purpose of this article is to determine the essence of the interaction of authorized units during the investigation of crimes committed by transnational organized criminal groups.

To achieve this goal, we considered the approaches to the concept of interaction between authorized agencies in the investigation of offences in general and organized crime in particular provided by foreign and domestic scholars. We also examined how this issue is

regulated in relevant Ukrainian legal instruments. Besides, we allocated the forms, principles and levels of cooperation of law enforcement agencies in the field of combating organized crime. The importance of cooperation between international law enforcement and police organizations, for example, Interpol and Europol, for coordinating efforts to combat crimes of a transnational nature was highlighted. As a result, we presented our own concept of law enforcement cooperation during the investigation of crimes committed by transnational organized criminal groups.

### Methodology

The methodological basis for the research is a set of general and specific methods and techniques of scientific knowledge. In particular, dialectical method was used to examine the essence of interaction in general.

Monographic method was applied for the study of the works by the domestic and foreign scholars, who investigated the issue under consideration.

The application of logical and semantic method helped to examine the following forms of interaction: between the investigative and operational units; between pre-trial investigation bodies and operational units.

The structural and functional method made it possible to find out the main types of interaction in the practice of preventing criminal offenses by relevant law enforcement agencies.

With the help of grouping method, the features of modern organized crime were revealed.

The formal and legal documentary analysis method was helpful in highlighting the importance of international law enforcement and police organizations for coordinating efforts to combat crimes of a transnational nature as well as in approving the fact that the interaction of the National Police of Ukraine with international organizations takes place at the global and regional levels.

Application of the system and structural method was useful for schematic construction of the channel of passing information or carrying out interaction between the law enforcement body of Ukraine and the relevant agency of the other State.

The modeling method allowed to develop the author's definition of the concept of law enforcement cooperation during the investigation of crimes committed by transnational organized criminal groups.

### Literature Review

Many scientific works are devoted to various aspects of cooperation in the fight against crimes committed by transnational organized groups. In particular, the research "The theory and practice of combating transnational organized crime in Ukraine" by Zharovska (2019, p. 23) deserves special attention. The author states that international cooperation as a necessary element of systemic control over transnational organized crime can be implemented both informally (exchange of information, technical assistance) and officially in the forms facilitating the extradition of criminals and mutual legal assistance at various stages of the investigation. Complex use of informal methods of interaction combined with official ones is important for overcoming difficulties and misunderstandings, as well as preventing delays in the process of controlling transnational organized crime.

In the view of Zavydniak (2021) cooperation in the investigation of transnational crimes, as well as cooperation in the investigation of general criminal crimes committed on the territory of Ukraine, from the point of view of Ukrainian legal doctrine, is carried out in the form of information exchange, namely, by sending requests for legal assistance, extradition, for taking over criminal proceedings, the creation of joint investigative teams or the presence of representatives of competent bodies of foreign States during procedural actions and by sending a request for the temporary transfer of a person.

According to Chorny et al. (2021) joint counteraction against international crime by all law enforcement agencies of different countries brings common results in eradicating this phenomenon in the world and reducing the number of crimes in a single state. This is one of the most relevant areas of international cooperation worldwide.

Kolomiets and Yushchenko (2024) turned to the criminal procedural legislation of Germany, Spain, the UK and France to study the main aspects of the pre-trial investigation and inquiry in these countries. The authors established, how criminal proceedings are initiated, as well as the way prosecutors and police officers cooperate. They also found out that the success of the pre-

trial investigation in foreign countries is facilitated by a clear organizational structure of criminal justice bodies in a complex with a well-established interaction of prosecutors with judicial investigators, the court and the police.

According to Kevin Carty – Senior Police Advisor to the OSCE Secretary General, if the fight against organized crime is to be successful, then it is essential that the different elements of the criminal justice system work cohesively together. Lack of co-ordination militates against the overall effectiveness of the system and only serves the interest of the criminal. It is also important to remember that the investigation of organized crime requires a multi-agency approach with the support of civil society (OSCE, 2007).

Professor of Criminal Law of the University of Queensland Andreas Schloenhardt, Professor of Criminal Law, University of Queensland stresses on the importance of comprehensive, efficient, effective, multi-agency and flexible international cooperation to ensure the appropriate investigation and prosecution of transnational organized crime. Such interaction is grounded on the treaties between States) to cooperate for achieving a common goal. It takes place when countries share data or evidence, interact to bring perpetrators to justice and join assets and human resources, including officials of law enforcement agencies to fight transnational organized crime (UNODC, 2021).

Shelly (2018) states that involvement of various international organizations significantly strengthens the fight against transnational organized crime, as these entities play a pivotal role in facilitating cooperation among nations, developing legal frameworks, and providing resources and expertise in the battle against these global crimes.

Having conducted the relevant research, Dulskiy et al. (2023) come to the conclusion that direct interaction between the competent bodies of the States contributes to increasing the efficiency of cooperation in the investigation of organized crime, as well as simplifies the solution of a number of organizational issues.

In the view by Zakir et al. (2024), a multifaceted approach involving enhancing international legal frameworks, improving cooperation among nations, and adopting innovative strategies is required for addressing transnational organized crime. This method includes: strengthening international legal instruments, harmonizing

national laws, enhanced international cooperation, capacity building and resource sharing, utilizing technology for law enforcement, public-private partnerships, strengthening judicial cooperation, protecting human rights, targeting crime proceeds, global governance and policy coordination.

The study of the problem under consideration is also impossible without the study and analysis of the provisions of international treaties and rules of procedural legislation.

The importance of international cooperation during the investigation of transnational organized crime is emphasized in the UN Convention against Transnational Organized Crime (UN General Assembly, 2000). In particular, the Convention defines the concept of mutual legal assistance as the provision of the widest possible assistance by States Parties upon request in the investigation, prosecution and trial of crimes defined by the Convention, which is carried out on a mutual basis, provided there are reasonable grounds to suspect that such crime is transnational in nature and, including, the victims, witnesses, proceeds, means of committing crimes or evidence related to the commission of such crimes are located in the requested State Party, and that an organized criminal group is involved in the commission of this crime

The rules of the Criminal Procedure Code of Ukraine (Law of Ukraine No. 4651-VI, 2012) enshrines the following areas of international cooperation in the prosecution of transnational crimes: service of documents, execution of separate procedural actions, extradition of perpetrators, temporary transfer of persons, takeover of criminal proceedings, transfer of convicted and execution of sentences.

Consequently, a number of scientific works are devoted to various aspects of cooperation in the fight against transnational crime. However, to date there are no unified approaches regarding the essence of the concept of interaction, classification and content of its forms and methods.

In addition, the adoption of the new Criminal Procedure Code of Ukraine and the subsequent amending of related legal acts require revision and improvement of previously formulated proposals and recommendations on this issue.

Many scientists in their definitions note such signs of interaction as legal grounds, coherence

and the purpose (task) of this activity. At the same time, some authors try to expand the range of mandatory signs of this concept. The third attempted to reflect various aspects of the interaction: its external expression (joint activity); method of activity (organizational and tactical approach); individual features of activity (mutual trust, etc.). In general, all this testifies to the multifaceted nature of this problem.

However, in our opinion, it is possible and expedient to provide one common definition of the concept of interaction during the investigation of crimes committed by transnational organized criminal groups, what we tried to do as a result of the conducted research.

### Results and Discussion

Turning to the term of interaction, its following basic elements can be allocated: its foundation on law, cooperation between the independent bodies, coherence and purposefulness of activities, combination of means and methods for the purpose of preventing and solving crimes, bringing those guilty to criminal liability, search for the accused, provision of compensation for damage caused by offenses.

In criminal procedural science, interaction is considered as a legal institution. In the theory of operational and investigative activity, issues of interaction are investigated in relation to certain actors – operational units. In turn, forensic interpretation of interaction is closely related to the criminal procedural one. At the same time, the analysis of relevant scientific literature allows to ascertain the presence of different points of view on this issue, which can be grouped into three general approaches – broad, narrow and combined.

In a broad sense, the interaction of the investigator with the investigative and other agencies in the detection and prosecution of crimes can be defined as the unification of the efforts of the investigator with other law enforcement agencies for coordinated actions to achieve the common goal of detection and investigation of the crime, which is carried out in the forms provided for by law, departmental regulations or produced by practice (Stepaniuk & Zaiats, 2014).

In the narrow understanding, the investigator always acts as one of its actors, and the interaction itself is considered as a form of organization of the investigation. The interaction of the investigator with other participants in this

process is an activity coordinated by goals and tasks, forces, means, place and time in establishing the truth in criminal proceedings. The status of the investigator determines his main role, personal responsibility for the decisions made, and the results of the prosecution as a whole. All the activities of other participants in the investigation are subordinated to the tasks set before them by the investigator, and are coordinated by him (Shevchuk, 2017).

The narrow interpretation of interaction as a coordinated joint activity of the investigator with other bodies and actors is the most acceptable, therefore, it is most often presented in the procedural literature.

Following the essence of the concept, it can be argued that structurally interaction involves:

- a) coherence (coordination) of activity;
- b) joint activity;
- c) purpose of activity;
- d) certain content of activity;
- e) presence of at least two actors.

According to the third approach (combined), which lies in the effort to understand the interaction in different ways, there is an attempt to reflect various aspects of the interaction: its external expression (joint activity); method of activity (organizational and tactical approach); individual features of activity (mutual trust, etc.) (Saltevskyi, 2005). It seems that such an approach has a purely epistemological significance for clarifying the essence of the interaction and requires additional understanding regarding the possibility of introducing practical recommendations.

Priakhin (2022, p. 85) defined the essence of interaction as one of the important conditions for achieving success in the investigation of crimes by the bodies involved in this activity. When combating crime, law enforcement agencies form a unified system and perform their functions in accordance with the Constitution of Ukraine and other laws. At the same time, the law enforcement system is characterized by the fact that it includes management structures of various departmental subordination. The common goal, tasks, principles and nature of activity connect them into a coherent scheme. This also applies to the agencies and officials who exercise their powers during pre-trial investigation; the problem of their interaction is currently relevant, as it is directly related to strengthening the effectiveness of the fight against crime.

Dusheiko (2001, p. 12) provided the following formulation of interaction: it is correct (or rational) combination and effective use of powers, methods and forms of investigative and operative units' activities.

Another group of authors (Ablamskyi et al., 2017, p. 19) consider interaction as an organizational form of activity of two or more persons, which is jointly agreed and regulated by laws and other departmental regulatory acts and aimed at achieving the objectives of specific criminal proceedings.

The approval of the Criminal Procedure Code of Ukraine in 2012 somewhat transformed the essence of the pre-trial investigation of crimes. The new legal act has significantly expanded the powers of the criminal procedure actors; therefore, the correct combination and effective use of their authority is rather an intermediate goal of interaction, a condition for effectiveness, than its essence. Defining any activity only through its intermediate result is insufficiently substantiated. In such definitions, the mechanism of interaction remains undisclosed, since it is not clear how, due to what, the correct combination and effective application of different actors' methods and modalities is achieved. As we can see, the issue of interaction has remained out of the attention of legislators.

In turn, Topchii (2012, p. 146) defined interaction of the investigative and operational units as law-based joint coordinated (in terms of purpose, nature, place and time) activities aimed at solving the tasks of criminal justice under the guidance and the organizational role of the investigator and clear demarcation of competence.

Yefimov & Chaplinskyi (2023, p. 633) quite accurately formulated the definition of the interaction of pre-trial investigation bodies and operational units as the activities of independent individual subdivisions based on regulatory and legal acts, as well as coordinated in terms of purpose and conditions, which is reflected in the most effective combination of their own methods and means aimed at preventing and investigating illegal acts under the management of the authorized person.

In view of the above, we consider the opinion by Yukhno (2009, p. 35), who highlighted the significant role of the interaction of operational units in preventing illegal actions by law enforcement agencies, to be relevant. The author defined it as the joint activity of operative units

(within their competence) aimed at effective crime prevention, based on the law and by-laws, agreed upon in terms of goals, place and time. Besides, the scientist established the main types of interaction in the practice of preventing criminal offenses by relevant units. That is, the researcher formed in sufficient detail the essence of the interaction of units that existed at that time.

In our opinion, rational is the thesis by Maliuha (2016, p. 9), who noted that the interaction of the investigator with operative units and other criminal proceedings actors should be considered as joint functioning of external (legal, organizational, professional) not subordinate subjects of interaction with their inherent communicative – activity or/and specific – professional competence, specialization coordinated by the investigator (prosecutor – procedural manager) in time, place, forms, as well as means and methods of implementation for solving specific tasks determined by the nature of the investigative situation, with the aim of ensuring quick, comprehensive and impartial investigation of crimes and their prevention, which is directed and enshrined in the law, departmental regulations or recommended by forensic science.

For his part, Danyliak (2018, p. 16) formulated the concept of interaction during the investigation of economic crimes committed by organized groups as a complex of mutual relations of the investigator with other actors, the range of which depends on the specific situation and tactical tasks arising during the detection, termination, proving crimes of this type, bringing those guilty to criminal liability, as well as preventing the commission of these offenses. The author also substantiated that the interaction during the investigation of economic crimes committed by organized groups should be considered at general and special levels.

In other words, all the above-mentioned scientists provided a definition of interaction in view of the existing system of law enforcement agencies and their inherent functions.

At the same time, the Instructions on the organization of cooperation of pre-trial investigation bodies with other bodies and units of the National Police of Ukraine in the prevention of criminal offenses, their detection and investigation (Order No. 575, 2017) enshrines that interaction between criminal police units and pre-trial investigation bodies is carried out in the case of: receiving statements and notifications about criminal offenses and

responding to them; submitting the materials based on the results of operational and investigative activities to the pre-trial investigation body by the operational unit; creation of investigative and operative groups for pre-trial investigation of criminal offenses; receiving the instructions from investigators on the conduct of investigative (search) actions and covert investigative (search) actions by the employees of the operational unit of the body, the police unit; carrying out separate investigative (search) actions and implementing measures to ensure criminal proceedings; ceasing the pre-trial investigation at the stage of judicial review of criminal proceedings.

The main principles of such interaction are:

- 1) prompt, complete and impartial investigation of criminal offenses;
- 2) the independence of the investigator in procedural activities, interference in which by persons without legal authority are prohibited
- 3) optimal use of the available resources of pre-trial investigation bodies and operational units of the National Police of Ukraine in preventing, detecting and investigating criminal offenses;
- 4) compliance with the general principles of criminal proceedings;
- 5) ensuring non-disclosure of pre-trial investigation data.

In accordance with Clause 2 of the Instruction on the cooperation of law enforcement agencies in the field of combating organized crime (Order No. 317/235, 2011), the purpose of the cooperation of the relevant law enforcement agencies is to strengthen countermeasures against organized criminal groups, including those of an interregional and transnational nature, created on an ethnic basis with corrupt connections, as well as prevention, detection and investigation of crimes committed by organized criminal groups and criminal organizations.

This interaction is carried out:

at the central level – between the Main Directorate for Combating Organized Crime of the Ministry of Internal Affairs of Ukraine and the Main Directorate for Combating Corruption and organized crime of the Security Service of Ukraine;

at the regional level – between the departments for combating organized crime of the main departments, departments of the Ministry of Internal Affairs of Ukraine in the regions, cities

of Kyiv and Sevastopol and the main departments for combating corruption and organized crime of the bodies of the Security Service of Ukraine in the regions, cities of Kyiv and Sevastopol.

Two main directions of interaction of law enforcement agencies in the field of combating organized crime are allocated:

strategic – organizing the implementation of state policy in the field of combating organized crime, eliminating the causes and conditions of its existence, improving the legal framework for combating it.

Tactical – detection, documentation and termination of the activities of organized criminal groups, criminal organizations, prevention, disclosure and investigation of crimes committed by them, search and arrest of members of organized criminal groups, compensation for losses to the state, individuals and legal entities.

The cooperation between the authorized agencies can be implemented in the following forms:

- conducting joint analysis of the state, structure of organized crime, causes and conditions contributing to the activity of organized groups, forecasting trends in the spread of organized crime;
- exchange of operational information of interest for fighting organized crime;
- developing and implementing joint programs and plans in the fight against organized crime;
- creating working groups for the preparation of draft laws and proposals for amending the legislation;
- implementation of agreed operational search, preventive and other measures;
- preparing and conducting joint boards, meetings, seminars on improving cooperation;
- developing educational programs and holding trainings within the professional training system;
- improving international cooperation in the fight against organized crime;
- informing public about the results of the activities in the field of combating organized crime.

It is worth noting that transnational organized crime under modern circumstances quickly adapts to new conditions and constantly improves the means and methods of criminal

activity; therefore, effective counteraction to transnational organized crime requires relevant State policy and constant improvement of theoretical knowledge and practical skills by law enforcement officers. Therefore, clear and organized interaction of law enforcement agencies of both a specific State and interstate structures plays a significant role in the efficiency of the investigation of illegal acts by the category under investigation (Bekh, 2020, p. 203).

Let us stress on the fact that full interaction is when the subject with managerial authority treats the hierarchically subordinate entity as a complete entity without ignoring its subjective features in the process of their common activity.

At the same time, the subject of interaction is always specific. Its experience, both positive and negative, recorded in the system of knowledge, skills, abilities, value orientations, motives, attitudes, stereotypes, is actively used in everyday activities.

Consequently, actor of interaction is characterized by subjective features acquired in the process of its formation and development: activity, awareness of oneself as a subject in relation to other subjects, uniqueness, will to act, involving free choice of specific goals. In addition, collective subject interaction is characterized by an internal structural construction, the distribution of functions between its components and their interdependence, which is not reduced to the arithmetic sum of elements, as well as collective consciousness and self-awareness, determining the presence of group reactions and the collective will to act (Sakovskiy & Zhyzhyn, 2019, p. 51).

Pitsik (2022, p. 676), having studied and analyzed the works by numerous scholars on the issues presented above, correctly testified that the following aspects within the conducted research remain unexplored to date: organization of the work of the Department of Strategic Investigations units regarding operational and investigative countermeasures against the activities of criminal communities and individuals under the status of aggravated criminal influence; tactics of operational and investigative countermeasures against such activities; its documenting; conceptual provisions of operative and investigative support for criminal proceedings regarding the activities of criminal communities and persons under the status of aggravated criminal influence; forming strategic decisions aimed at ensuring operative

and investigative countermeasures against the named activities; interaction of law enforcement agencies of Ukraine regarding operative and investigative countermeasures against such operations; international cooperation on neutralizing the influence of the "thief" community (using foreign experience).

That is, the author, among other things, established international cooperation and collaboration of law enforcement agencies of Ukraine in relation to operational and investigative countermeasures against the activities of criminal communities.

Filashkin (2011, p. 240) also highlighted the importance of cooperation between international law enforcement and police organizations, for example, Interpol and Europol, for coordinating efforts to combat crimes of a transnational nature. The author emphasized that the international organization of the criminal police in Ukraine represents the National Central Bureau of the Interpol – Ukrbureau Interpol, which is the center of coordination of the interaction of law enforcement agencies of the country with the competent authorities of foreign States in the fight against crime, is of transnational nature or goes beyond the borders of the country. In addition, the researcher noted that the unit directly responsible for the organization of the performance of the functions of the Ministry of Internal Affairs of Ukraine as the National Central Bureau of Interpol is the working apparatus of the Ukrainian Bureau of Interpol.

In view of the above, we believe that the position of the group of scientists (Chaplynskyi et al., 2023, p. 479), who noted that the interaction of the National Police of Ukraine with international organizations takes place at the global and regional levels, is quite valid. The best results are manifested in the process of cooperation between law enforcement agencies of Ukraine and the Working Apparatus of the Ukrainian Bureau of Interpol, the purpose of which is:

the exchange of information resources, the establishment of persons, things and documents recorded in the Interpol databases; assistance in the international search for criminals; implementation of extradition measures; performance of procedural actions at the international level.

These types of cooperation also have a forensic direction. This refers to the information



component characterizing the investigated criminal offenses and assisting in their disclosure. As a conclusion, we can state that persons, objects and documents registered in the Interpol database are also related to forensics, because forensic methods of diagnosis and identification, as well as various forensic techniques are used.

A separate group of scientists noted quite clearly that schematically, the channel of passing information or carrying out interaction is as follows:

practical division of the law enforcement agency of Ukraine → territorial division of the Interpol National Security Agency → Interpol National Security Agency of Ukraine → Interpol National Security Agency of the foreign country → police (practical) division of the law enforcement agency of the foreign country.

Feedback can also be illustrated:

police unit of the foreign country → Interpol National Security Agency of the foreign country → Interpol National Security Agency of Ukraine → territorial unit of Interpol National Security Agency → practical unit of the law enforcement agency of Ukraine.

The specified information flow scheme is not the only possible one, which may be determined by the actors of such interaction, the tasks to be solved in a specific case of cooperation, etc. For example, if the request of the law enforcement agency of the foreign country concerns the verification of a person on criminal records, the National Security Service of Interpol of Ukraine will interact with the Department of Informational Technologies of the Ministry of Internal Affairs of Ukraine to obtain relevant information or will verify the availability of information on the person on the records of this unit. In cases where the request concerns the search for a person, the National Central Bureau will also interact with criminal investigation or combat organized crime units; in the materials regarding the verification of business entities, the legality of foreign economic transactions – with the State Tax Administration, the State Service for Combating Economic Crime of the Ministry of Internal Affairs of Ukraine (Bilenchuk et al., 2009, pp. 14-15). As one can see, the researchers clearly and correctly summarized the previous information.

We consider the opinion by Schneider (2018, p. 26), who emphasized that relying on

potentially questionable justice officials, now limited anti-mafia criminal justice to one transformative achievement – the suppression of drug trafficking and elimination of related violence, to be reasonable one. In other words, the interaction of law enforcement agencies with justice ensured a certain effectiveness in preventing the commission of criminal offenses.

We also support the view by Liash (2000, p. 126), who defined the essence of the interaction between the investigator and the operational worker in the following components: a) active purposeful activity of the actors – investigators and workers of operational units, which may involve secret employees, public members, specialists in various fields of knowledge, etc.; b) each subject of this activity takes specific measures (investigative, operative and investigative) within the limits of the powers established by law; c) these are joint actions of two or more actors, agreed in place, time and purpose, aimed at implementing the obtained results of operational and investigative measures, information in criminal proceedings; d) overall plans should include a combination of surveillance and other activities in such a way that their implementation is unexpected for the persons whose actions are being verified, their co-conspirators and would have the greatest effect of establishing the facts in a procedural manner; e) in the process of conducting specific operational and investigative actions, it is necessary to strictly comply with the requirements of the Constitution of Ukraine, current legislation, principles of operational-investigative legislation and criminal justice through appropriate investigative actions and procedural decisions.

Thus, we can formulate the concept of law enforcement cooperation during the investigation of crimes committed by transnational organized criminal groups as a system of measures independent from each other in relation to the subordination of authorized units, which is based on relevant legal acts and agreed between them according to the purpose and circumstances, which consists in effective and quick combination of methods and means peculiar to the relevant departments, aimed at preventing and investigating crimes under a single administration.

## Conclusion

Summing up, we note that the commission of criminal offenses by transnational organized criminal groups cannot be effectively

investigated without the participation of various units both in Ukraine and abroad. It is stated that interaction is one of the main prerequisites for ensuring any activity, and even more so for the implementation of criminal proceedings of any category. At the same time the issue of interaction was left out of the attention of legislators in terms of establishing the relevant rules in codified legal acts. On the other hand, the scholars defined interaction in view of the existing system of law enforcement agencies and their inherent functions. It is noted that the clear and organized interaction of law enforcement agencies of both a specific state and interstate structures plays a significant role in the effectiveness of the investigation of illegal acts of the studied category. The possibility of interaction between only indicated persons is pointed out (investigator and case officer; several investigators; several case officers; detective and operative; several detectives). Emphasis is placed on an essential feature of interaction – single management by a specific authorized person. Attention is focused on the mandatory involvement of international law enforcement organizations – Interpol and Europol. It is found that the interaction of law enforcement agencies with justice will ensure a certain effectiveness in preventing the commission of illegal acts. The concept of law enforcement cooperation during the investigation of crimes committed by transnational organized criminal groups is formulated as a system of independent actions with respect to the reporting lines of authorized units, which is based on relevant legislation and agreed between them on the purpose and circumstances, which lies in effective and rapid combination of the methods and means specific to the relevant units, aimed at preventing and investigating crimes under a single management.

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