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## **EUROPEAN EXPERIENCE IN THE REFORMING OF THE STATE BORDER SERVICE OF UKRAINE.**

This study deals with the topical issues of introducing the European experience in the protection of the state border in Ukraine, solution to the problems of harmonization of Ukrainian border legislation in accordance with the European standards.

Since the first years of independence, Ukraine has identified the integration into European structures to be the main foreign policy area. Since then, despite complex internal political processes, these strategic goals of the foreign policy of our state remain unchanged.

The need to reform the national state border protection system is primarily determined by the strategy of European integration of Ukraine and the need to harmonize the current state legislation with the legislation of the European Union in accordance with agreements on cross-border cooperation, which is one of the main conditions for the creation of a unified European security system.

Another important factor is a significant increase in the level of threats related to terrorism, illegal migration, cross-border crimes, especially organized, the proximity of the borders of Ukraine to the European Union borders and, as a consequence, the urgent need to adapt the forms and methods of their protection to European standards.

**The purpose of the study** is to examine the practical implementation of international experience in protecting the state border to improve the national border legislation.

**Keywords:** European security system, state border, international experience, cooperation, state policy.

Today, Ukraine is reforming all aspects of the life of society and the state. In this regard, studying and adopting of positive experience in the sphere of organization and functioning of the state border protection systems of foreign countries, as well as identification of ways to use such experience for reforming and developing the system of the state border protection in Ukraine, taking into account the national peculiarities, becomes of particular relevance. This is especially important given the foreign policy orientation of Ukraine and, above all, the desire to join the European Union [1, p. 27].

Some issues related to international experience in the protection of the state border are highlighted in the studies of many scholars, including O. Vonsovykh, A. Gubanov, L. Zaitsev, I. Bondarenko, Yu. Bytiak, Yu. Vedernikov, S. Goncharuk, G. Zabarnyi, S. Kivalov, T. Tsimbalisty, V. Shkarupa and others. However, some aspects of the studied problem cannot be considered solved.

The issues of cross-border cooperation in the context of the European integration progressive state policy of Ukraine require a deeper scientific study. Ensuring proper cooperation with EU countries in the field of state border protection is a significant contribution to the integration into the European security systems.

To study the European experience and determine the ways of its application for the formation of a national system for the state border protection under the European standards, we consider it necessary to analyze the formation of a unified state policy in the field of border security by the EU countries.

V. Pleshko points out that more than 250 terrorist acts are prevented in Western Europe each year. Every year, the number of persons detained for terrorist activities by the special services of these countries increases. According to the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), the number of drugs entering the EU countries and the number of people consuming them grow each year.

The geography of the countries-suppliers covers almost all continents. Thus, countering terrorist manifestations, cross-border organized crime, human trafficking and drug trafficking at the borders are among the urgent issues for the European community. Therefore, since the 50s of the last century, one of the strategic priorities for the European Union countries is the introduction of effective mechanisms for the national security management in the border area. These mechanisms are aimed at creating an effective public administration system to counter modern cross-border challenges and threats [2, p. 102].

Mechanisms for public administration in the border area are introduced both by the national governments of the EU countries and in the format of the unified policy of the European Union in the field of border security. The issues of adopting the European experience in border security management are relevant for Ukraine, taking into account the state's strategic course towards European integration [2, p. 103].

Thus, the strategic development area of the national system for the protection of the state border of Ukraine is the creation of a model for the integrated state border management, based on interaction between border-protecting law enforcement agencies, harmonizing with the common European experience in the field of border security.

The modern strategy of integrated border management is a key priority for the implementation of a unified state policy by the EU countries in the field of border security. An important component of the implementation of the integrated border management strategy was the adoption of Council of Europe Regulation No. 2007/2004 dated October 26, 2004. The document envisaged the creation of the European Border and Coast Guard Agency (FRONTEX).

Within the limits of the powers granted, FRONTEX:

- ensures the coordination and cooperation of the EU border and migration structures in the field of protection and control of the external borders;
- introduces a unified system for analyzing the risks and threats of illegal activity at the borders;

- provides practical assistance to EU countries in training personnel for border security;
- introduces modern high-tech means and developments for the purpose of remote control of borders;
- provides assistance in resolving crisis situations on the external borders of the European Union;
- organizes international cooperation, including with the countries outside the European Union;
- facilitates the return of immigrants from third countries [2, p. 104].

It should be noted that the EU countries have developed a very effective system for coordination and interaction, which functions effectively through a single coordinating body – European Border and Coast Guard Agency (FRONTEX).

We will analyze the foreign experience on the state border protection by law enforcement agencies of the European Union countries and the possibility of adopting it in the process of reforming the system of the state border protection in Ukraine.

For this purpose, we will examine the structure of the Italian border guard agencies.

In Italy, there is a specialized police unit – the border police, which is responsible for the implementation of passport and visa controls for entry and exit, monitoring compliance with safety rules on domestic and international routes, law enforcement, crime control at service facilities and some other tasks.

It is not the duty of the Italian Border Police to register documents: the police is responsible for this task. Thus, they exercise only a control function, which improves the efficiency of their activities and reduces the time spent on trains at railway border stations. Passport examination at seaports are carried out even before the ship arrives at its destination. For this purpose, representatives of the border police go to the previous port (abroad) to speed up the disembarkation of passengers, to detain criminals and suspicious persons in their port.

According to the functions performed, the Italian border police is divided into land, sea and air police. The land border police is quartered along four border zones

that run along borders with states bordering Italy. The management of zonal border detachments supervising the activities of 24 border police units operating in the sector is located in the centers of the zones.

The Office of the Air Border Police carries out passport-visa and customs control in six major airports. The air border police also includes two squadrons [1, p 27].

It is important to study the system of border law enforcement agencies of France in terms of organizational structure. The directorates and active police services occupy the central place in the structure of the General Directorate of the National Police of France; the most important are the central airport and border police service. The main task of this service is to control the citizens who cross the border of the country. This includes the document examination, and, in some cases, issuing visas, monitoring compliance with the rules for transporting animals and plants, etc. In the event of any accidents in air or rail transport, the central service carries out a criminal investigation.

The central service consists of six departments: operational communication, which task is to manage and coordinate the operational activities of air, land and sea posts, ensure communication with other national police departments; department of informatics, statistics and archives; air police department that coordinates the activities of air navigation posts designed to provide navigation control and flight safety; railway police department, which carries out border control at railway stations located on the border of France, this department also ensures the safety of passengers on long-distance trains; department for operations and plans, which deals with issues of personnel, equipment and organization of services.

In France, there are seven regional offices of the service, which manage the relevant departmental station located both in separate departments and at border-customs points (seaports, air terminals, railway stations). As part of these points, border mobile brigades operate, which move between permanent posts, ensuring the continuity of the border zone.

The national gendarmerie is also engaged in the protection of the state border in France. The Gendarmerie of France is part of the armed forces that are performing

police functions and are in operational subordination to the French Ministry of the Interior. In modern conditions, the gendarmerie of France is engaged in the fulfillment of administrative tasks on a regular basis: the protection of borders and control over foreigners, the supervision of entertainment events, the observance of sanitation and hygiene standards, the acquisition and storage of weapons and ammunition, etc. [1, p. 27, 28].

The system of the border-protecting law enforcement agencies of the Federal Republic of Germany also deserves attention. There are specialized federal departments, including the Federal Border Guard, as part of the police department of the Ministry of Internal Affairs of Germany. This militarized corps performs police functions. Under normal peacetime conditions, it is authorized to operate within a 30-kilometer border strip, and is empowered to exercise the functions of the internal federal police to ensure public order throughout the country [3, p. 84]. Its main tasks are the control of the state border; the fight against organized crime, illegal migration, drug smuggling; protection of the most important institutions (the residence of the president and the chancellor, houses of federal ministries, the Constitutional Court, etc.); investigation of offenses in the sphere of ecology. Since 1992, this service is responsible for the public safety in rail and air transport. Its units are involved in law enforcement during demonstrations, natural disasters, major disasters, and state visits [4, p. 138, 139].

The Republic of Lithuania has a special body in the system of the state border protection the Service for the Protection of the State Border. It belongs to the administration of the Ministry of Internal Affairs. This service protects the state border on land, in the sea and in the internal border waters; controls persons and vehicles crossing the state border; ensures the legal regime of the border zone and the regime of border control points; helps to carry out state control of migration processes; participates in the provision of law and order and other functions imposed by law in the border zone; protects the state during the war as part of the armed forces [1, p. 28].

The analysis of the European experience on the state border protection allows determining the main areas for reforming the law enforcement system for the state

border protection in Ukraine. Ukraine has adopted the European integration vector of foreign policy, and it is necessary to adopt the experience of those countries that have recently joined the EU and reformed their border agencies in accordance with the norms of the European Union to reform the national state border protection system.

If we analyze the system of law enforcement agencies responsible for the law and order on the state border of Ukraine, it can be argued that one of the main agencies is the State Border Guard Service of Ukraine that has recently been subordinated to the Ministry of Internal Affairs. Such subordination is the result of the introduction of European experience in the reforming of the law enforcement system of Ukraine, since almost all border agencies of the EU countries are part of the structure of the Ministry of Internal Affairs. Subordination of the State Border Service to the Ministry of Internal Affairs made it possible to increase the effectiveness of interaction between law enforcement agencies responsible for the state border protection and to increase the results of their activities.

Deep and irreversible democratic transformations taking place in Ukraine require restructuring and raising the level of efficiency and quality in the activities of the entities engaged in the protection of the state border of Ukraine. In particular, it is necessary to address the problem of optimizing the activities of the State Border Guard Service of Ukraine and other bodies of the National Police in the sphere of the state border protection in Ukraine [5, p. 62] and their role in the process of integration into the European security system.

It is necessary to create a model for integrated state border management, based on the interaction between law enforcement agencies responsible for the state border protection and cooperation with the European Agency FRONTEX, taking the common European experience in the field of border security as a basis.

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