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Administrative and Legal Aspects of International Cooperation in the Professional Training of Police Managers

*The **purpose** of the article is to study the nature and current issues of international cooperation in the field of professional training of police management personnel. **Methodology.** The paper uses general scientific and specially scientific methods of cognition, the specific combination of which is determined by the purpose and tasks of the research. The use of the formal-logical method made it possible to define, refine and supplement individual concepts, categories, and order the conceptual and categorical apparatus. Formal logic methods, such as analysis and synthesis, deduction and induction, analogy and generalization, and more, have also been applied. The **scientific novelty** of the article is that it carried out a study of international cooperation in the field of professional management of police personnel at the current stage of state and legal development, as well as highlighted current problems in this area. **Conclusions.** International cooperation in the field of management training of the National Police of Ukraine is one of the priority areas. Further scientific research in this area should be linked to the detailed elaboration of specific problems of administrative and legal regulation in the analyzed area. In particular, this relates to the issue of upgrading the skills of senior executives using the experience of EU countries. Problems also arise in the case of secondment for the development of managerial staff to EU countries, which actualizes the need to develop an effective mechanism for international cooperation. The paper draws conclusions on the possibility of using international cooperation in improving the system of administrative and legal support of professional training of management personnel of the National Police of Ukraine.*

Keywords: police management; international cooperation; foreign experience; vocational training; adult education; administrative and legal support; European integration policy.

Introduction

Contemporary challenges and threats, above all hybrid, due to the influence of a complex of socio-demographic, economic, political, legal, psychological and technological factors, require an adequate transformation of both the entire security sector and the Ministry of the Interior in particular. The implementation of the measures consists of consistent steps based on optimal solutions that take into account the positive experience and best practices of the leading countries in the world. At the same time, during the reform, the stable functioning, management and effectiveness of the administrative staff of the bodies of the National Police of Ukraine should be ensured.

Among the tasks set out in the Strategy for the Development of the System of the Ministry of Internal Affairs for the period up to 2020, the departmental system of professional training of management personnel of the National Police of Ukraine defines the need to «promote equal, mutually beneficial, socially and economically expedient cooperation with educational institutions of foreign states and international organizations» ("Rozporiadzhennia Kabinetu Ministriv", 2017).

In order to improve the mechanism of professional training of management personnel of bodies and units of the National Police of Ukraine, the Ministry of Internal Affairs actively participates in international cooperation in the field of training of qualified management personnel. According to paragraph 4 of Art. 16 of the Law of Ukraine «On the National Police», the Minister of Internal Affairs

of Ukraine ensures the implementation of international treaties of Ukraine, which belong to the spheres of police activity ("Zakon Ukrainy", 2015). In addition, the Ministry of Internal Affairs of Ukraine has an obligation to ensure international cooperation, participate in the development of projects and conclude international treaties of Ukraine on matters within its competence, to ensure, within the powers provided for by law, the execution of concluded international treaties of Ukraine ("Postanova Kabinetu Ministriv", 2015).

However, the issues of improving the departmental education system of the Ministry of Internal Affairs of Ukraine as a whole and of the National Police of Ukraine in particular, enhancing the level of international cooperation in this area have not yet been sufficiently studied and need further investigation (Komziuk, 2008, p. 9).

Aspects of the outlined problems were investigated by M. Anufrieva, O. Bandurki, I. Zozuli, O. Copana, R. Kalyuzhnogo, Yu. Kravchenko, O. Kuzmenko, D. Kalayanova, G. Ponomarenko, V. Cherney and others.

Noting the significant contribution of these scientists to the development of science, it can be noted that international cooperation contributes to the implementation of the European integration policy in the field of internal affairs and the achievement of the criteria necessary for Ukraine's full membership in the North Atlantic Treaty Organization. However, the experience of EU countries in the professional training of management personnel of bodies and units of the National Police

of Ukraine has not been thoroughly studied, so there is a possibility of further use of foreign experience. The experience of EU countries has positive examples, the skillful use of which can adapt the administrative and legal mechanism of professional training of management personnel of the National Police of Ukraine. The isolation of unexplored aspects of the general problem determines the relevance of the article and the need to study international cooperation in the field of professional management training in the activities of the bodies of the National Police of Ukraine.

The purpose

The purpose of the article is to study the essence and topical issues of international cooperation as a condition for improving the administrative and legal support of professional training of management personnel of the National Police of Ukraine, approximation of their system of training and passage of service to modern European standards, which is one of the priority tasks of our state in modern conditions.

Presentation of the main material

In modern conditions, there is an intensification of international cooperation in different spheres of life of societies and states on the principles of integration, cooperation and mutual enrichment. The National Academy of the Interior has a prominent position in the higher education system of the state and has wide international recognition. Since 1989, he has been a member of the Association of European Police Colleges, a participant in the Conference of Heads of Higher Educational Institutions of Police of Central and Eastern Europe, maintains working relationships with international organizations, educational institutions and police institutions in many countries, provides staff training for UN peacekeeping missions.

According to V. Cherney's point of view, «... the readiness and ability of police officers to solve problems of public order, fight against crime, strengthen the sovereignty and territorial integrity of the state in the difficult socio-political and economic conditions require constant improvement of professionalism of managerial staff. their knowledge, analytical thinking, ability to predict events and respond appropriately to them. And this requires a proper level of training for managers in departmental educational institutions and the appropriate qualification of teaching staff» (Chernei, 2014, p. 5). Supporting the position of the above scientist, it would be desirable to emphasize that today there is an urgent need to develop effective mechanisms for combating crime, improving the professional level of police management personnel, in particular by informing the heads of bodies and

units of the National Police of Ukraine of international norms concerning the protection of rights human rights, and the peculiarities of the activities of various international law enforcement organizations in these processes. The above factors require the creation of conditions for the effective development of international cooperation in the field of management training (Sokurenko, 2015, p. 373).

An important aspect of international cooperation in the field of professional training of police management personnel is the exchange of delegations, visits of authorized persons to establish and ensure cooperation aimed at enhancing the effectiveness of the police of Ukraine. For example, in 2016, a delegation of the High School of Police of the Federal Republic of Germany (Munster), consisting of Heinz Albert Stumpfen, dean of the road safety faculty and Lars Wagner, head of the department of international relations, visited the National Academy of Internal Affairs. The purpose of the visit was to get acquainted with the activities of the National Academy of Internal Affairs and to discuss the prospects of further cooperation.

Foreign experts were acquainted with the history of the emergence and formation of the Navas, its modern structure, material and technical base, the organization of the educational process, as well as the role of the Academy in the implementation of the Ministry of Internal Affairs reform and in training (retraining, advanced training) of personnel for the National Police of Ukraine for other public authorities and management.

For his part, Mr. Stumpfen and Mr. Wagner spoke about the activities of the German Police High School, the only specialized educational institution that trains management staff for the Ministry of Internal Affairs and the police at the federal level and for all German lands. The annual recruitment is 180–200 people (98 % of the alternatives – police officers, 2 % – civil servants), term of training – 2 years. The educational process is based on the combination of theoretical and research lessons with the acquisition (consolidation) of practical skills; The German police experience is constantly analyzed, active teaching methods and modern technologies are introduced. Upon completion of the studies and the degree of Master of Management, trainees receive another special rank (up to the police major inclusive) and are assigned to a position higher than the previous one.

In 2019, a roundtable was held at the National Academy of the Interior with the participation of foreign experts – representatives of the Hans Seidel Foundation and the Bavaria Ready Police to discuss the results of a joint project to reform the management training system of the Ukrainian police, as well as prospects for further cooperation.

During the visit, Gerd Enkling, Head of the Training and Improvement Department of the

Bavaria Preparedness Police, had the opportunity to get acquainted with the practical component of the professional training of Ukrainian police officers. According to a German specialist, the National Academy of the Interior is successfully applying the experience gained from the implementation of a management training project jointly with the Hans Seidel Foundation and the Bavarian Police. According to the results of the discussion, the work carried out during the joint project was considered successful. The parties also agreed on the need to continue the initial cooperation next year.

Adopt common legal acts in the field of law enforcement and strengthen the interaction of the Ministry of Internal Affairs of Ukraine with the United Nations (UN), Interpol, the Council of Europe, the International Police Association (IPA), the European Union Advisory Mission (EUAM), the International Association of Chiefs of Police (the Association of Police Chiefs) IACP) requires other international organizations to ask the heads of various police agencies to implement concerted law enforcement and joint decisions.

Regarding integration and cooperation in the field of European police leadership, Director of the Police Academy of the Netherlands, Piet Van Rinen, said: «Despite the differences in the social structure and cultures of the countries today, the fact that borders within Europe are open and necessary a prerequisite for starting meetings of police officers and teaching them police management at European level» (Ponsaers, p. 573).

The clear tendency towards integration in the field of management training for law enforcement agencies between the countries of Europe in the 1990s is explained by a number of reasons:

- Objective conditions characterized by increasing interdependence of peoples, globalization of problems and increasing universalization of various social phenomena, including law enforcement, police structures and training systems;

- approximation of national legislative and legal systems; adopting a number of common legal acts that oblige them to be guided and undoubtedly adhered to in law enforcement activities;

- internationalization and integration of the criminal world, which dictates the need for consolidation of international law enforcement agencies, mutual understanding of both positive and negative experience in the fight against international and transnational organized crime (Bezpalova, 2014, p. 416);

- scientific and practical search for new approaches in the development and improvement of systems of professional training of police management personnel (legal bodies, bodies of the National police, police, etc.) in accordance with the requirements of the XXI century;

- the approximation of professional training for police management to uniform international standards based on the best experience of training police officers in leading countries (Anufriev, Bandurka, & Yarmysh, 1999, p. 133).

The existing differences between European political systems, legislation and education create obstacles to the development of cooperation, but at the same time there is a willingness to overcome the difficulties that arise.

Legal and organizational regulation of interaction in the activities and professional training of police executives is carried out on the basis of bilateral and multilateral agreements of various actions – interstate, intergovernmental, interagency. The goals, objectives, content and forms of training are determined in the light of such international agreements as the Universal Declaration of Human Rights, adopted by the UN General Assembly on 10 December 1948, the International Covenant on Civil and Political Rights, adopted by General Assembly resolution 2200 A (XXI). UN Convention of 16 December 1966, Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950, European Conventions on the Extradition of Criminals of 13 December 1957, On Mutual Legal Assistance and Legal Relations in Civil, Family and Criminal Matters of 22 January 1993 g., and others.

Among the most important international regulations affecting the organization and training of police officers are the Code of Conduct for Law Enforcement Officials, adopted by UN Economic and Social Council Resolution 1981/61 of 24 May 1989, Basic Principles for the Use of Force. and firearms by law enforcement officials, adopted by resolution VII of the UN Congress on Crime Prevention and Treatment of Offenders (27 August – 7 September 1990), Declaration Exposure Police approved Resolution 690 of the Parliamentary Assembly on 8 May 1979. Constitution of the European Union, October (2004) and others.

Due to the organizational and staff changes, due to the close cooperation with the educational institutions of the EU countries, in 2018, an institute of management training and advanced training was created in Ukraine – a structural unit of the National Academy of Internal Affairs, the main activity of which is advanced training (specialization) and retraining of the Ministry of Internal Affairs of Ukraine and the National Police of Ukraine.

Academic scholars believe that, while studying at high schools, police management personnel should master the science of management and should be trained as future managers (Hroholskyi, 2004, p. 268-269). That is, the focus on management training should be given to postgraduate education.

The guiding document in the field of development of international cooperation in the field of management training of bodies of the National Police of Ukraine is the Strategy of development of bodies of the system of the Ministry of Internal Affairs № 1023-r, stating that Ministry of Internal Affairs, implementation of best management experience in the bodies and units of the National Police of Ukraine and support for the implementation of pilot projects, implementation of programs many approaches, coordination and reporting in the work related to international technical assistance, preparation of information systems of the Ministry of Internal Affairs to join the Schengen Information System, deepening and expansion of knowledge, skills and management skills of the National Police of Ukraine bodies in dealing with information systems, stimulating managers of all levels to use new administrative experience, the need to improve the training of heads of bodies of the National Police of Ukraine for interaction with law enforcement agencies other countries in addressing such global issues as terrorism, transnational crime, inter-ethnic conflicts, enhancing cooperation with international organizations, and raising new demands for international cooperation between educational institutions of the Ministry of Internal Affairs of Ukraine. At the same time, these new requirements are not disclosed in the Strategy.

At the same time, adult education is one of the promising areas for national police training. Thus, the Ministry of Education and Science of Ukraine held a wide discussion on finalizing the draft Law on Adult Education. It was stated that it should establish clear conditions for recognition of non-formal and informal education, take into account the ideas of dual education, and provide an open and transparent vision of continuing education ("U mezhakh tyzhnia", 2019).

Among the areas in which the international cooperation of educational institutions of the Ministry of Internal Affairs of Ukraine should be pursued, the Strategy refers to: 1) ensuring the participation of the administrative staff of bodies and units of the National Police of Ukraine in peacekeeping activities; 2) organizing, extending and providing training for EU management; 3) organization of business trips of management personnel of educational institutions of the Ministry of Internal Affairs of Ukraine to EU countries; 4) interaction of educational institutions of the Ministry of Internal Affairs of Ukraine with international organizations – the UN, the Council of Europe, the European Union, the ICRC, etc.; 5) ensuring a comprehensive adult education system that would allow the implementation of the concept of lifelong learning and regulatory support for adult education.

In particular, the first direction under the Strategy includes:

- improving the professional training of peacekeepers, which will allow them to occupy management positions in peacekeeping missions;
- reworking in accordance with the solution of new tasks of regulatory legal documents of the bodies and units of the National Police of Ukraine, regulating the participation of the administrative staff of the bodies of the National Police of Ukraine in peacekeeping activities; creation of new educational and methodological materials for representatives of the Ministry of Internal Affairs and the Special Peacekeeping Center of the National Academy of Internal Affairs using international experience; use of modern educational technologies in the educational process and over the problem of qualitative training of peacekeeping management personnel.

The second direction, respectively, includes:

- creation of an effective mechanism for marketing of educational services and ensuring expansion of export of educational services of educational institutions of bodies and units of the National Police of Ukraine;

- strengthening the role of the National Police of Ukraine as an educational center among EU countries;

- significant expansion of training on the basis of compensation of foreign specialists, which will help to improve the interaction between Ukrainian and European law enforcement agencies and the development of educational and training facilities of educational institutions of the National Police of Ukraine;

- joint organization of conferences, seminars and roundtables in the neighboring EU countries with Ukraine, dedicated to topical problems of professional management training;

- taking into account Ukrainian and European experience in the creation of new training courses on advanced issues related to law enforcement and the fight against crime (terrorism, extremism, transnational crime, illegal movement of people, etc.) and the organization of international conferences, seminars and round tables on this basis;

The third area of international cooperation of educational institutions of the Ministry of Internal Affairs of Ukraine in organizing the secondment of Ukrainian specialists abroad provides:

- ensuring the effective study and use of the experience of EU countries to improve the training of management staff and activities of the National Police of Ukraine;

- Expanding relations with European partners (universities, police institutions, law enforcement);

- replenishment of libraries and funds of departments by normative, informative and educational-methodical materials».

The implementation of the fourth direction, which is carried out within the framework of interaction of educational institutions of the Ministry of Internal Affairs of Ukraine with international organizations, provides:

- inclusion of educational institutions of the Ministry of Internal Affairs of Ukraine in the programs implemented by these organizations;
- participation in their working bodies;
- coordination of research on law enforcement issues conducted with the support of these organizations in the territory of Ukraine;
- intensification of participation of educational institutions of the Ministry of Internal Affairs of Ukraine in competitions for grants and targeted programs; at international conferences, seminars and roundtables;
- development, taking into account the international requirements of international legal acts and experience of EU countries, new training courses aimed at preparing employees of the National Police to solve social problems that affect the reduction of offenses.

– The implementation of the fifth direction, which is carried out within the framework of interaction of educational institutions of the Ministry of Internal Affairs of Ukraine with international organizations, provides:

- to develop adult education on human values, the ideals of humanism;
- harmonize the interests of the individual and society and make it accessible to all sections of the population;
- to create objective conditions for the maximum development of the individual, the realization of all personal potential opportunities, which will facilitate both its adaptation to changing socio-economic conditions and social protection of the adult;
- create conditions for the organization of adult education;
- determine the status of teaching staff for adult education;
- to create an information and communication space for adult education, with the subsequent launch of relevant web pages, newsletters, implementation of international educational programs, etc.;

The interpretation of the term «adult education» can be found in various sources, however, the basic interpretation of this phenomenon is considered to be the wording published in the Recommendation as «... the whole complex of organized education processes, regardless of the content, level and method, formal or other reasons, which Continuing or completing education at schools and universities, as well as hands-on training through which persons who are considered as adults by the society of which they are part, develop their abilities; improve their technical and professional qualifications or gain a new orientation and change their attitudes or behaviors in the dual perspective of all-round

personal development and participation in balanced and independent social, economic and cultural development».

In our view, the given list of tasks and directions of activity in the sphere of improvement of professional training of administrative personnel of bodies of the National police of Ukraine, stated in the Strategy, is obviously insufficient. It should be supplemented by a significant direction – to develop international cooperation in the field of professional management of police management personnel for the signing by Ukraine of the Agreement on Uniform Candidate Education for Higher Bodies of the EU Police Enforcement Service; management training of police heads.

Today, virtually all police education institutions in EU countries, as well as in Ukraine, there are international departments that deal with the establishment and implementation of contacts, cooperation and cooperation with foreign agencies and civilian educational institutions, practical police bodies, international organizations, etc. International police educational establishments are formed and functioning. In January 1995, an agreement was set up by the President of the Police Academy in Munster (Germany), the Director of the Netherlands Learning Center (LSOP) and the Director of the United Kingdom National Police Training – Association of Colleges – Association of European Colleges (AEPIC), which comprises the police colleges (academies) of the Member States of the European Union (France, Germany, Italy, Belgium, the Netherlands, Luxembourg, United Kingdom, Denmark, Ireland, Greece, Spain, Portugal, Sweden, Finland) Nlandia, Austria). This has the dual purpose: first, to agree on where and how to conduct joint training of top-ranking police officers on the basis of mutual agreement and validity; second, to exchange information and maintain contacts in relevant areas of training for police officers (Zozulia, 2014, p. 20-21).

Thanks to the meticulous and prolonged work of representatives of the Ministry of Internal Affairs and the Special Peacekeeping Center of the National Academy of Internal Affairs of the world recognition was succeeded to reach Ukraine, in particular, over the problem of qualitative training of peacekeeping police personnel.

UN Qualified Expert on Police Professional Training The Integrated Professional Training Service of the Department of Peacekeeping Operations and the United Nations Department of Field Missions, Stefan Schwartz, on a working visit to Ukraine, in particular, noted that Ukraine is one of the top ten countries in the world international police officers.

The Association of European Police Colleges Association provides a single principle of contact for all police training institutes in Europe. Maximum cooperation and coordination is achieved between the

members of the Association regarding the training of police management personnel, advanced pedagogical and practical experience, as well as the best scientific researches are disseminated. The Association also develops joint training programs as needed and cooperates with the International Law Enforcement Academy (ILEA) in Budapest. The Association of European Police Colleges identifies the educational queries that are most relevant to multinational approaches. The annual calendar of courses and training programs on combating so-called «border-crossing crimes» is regularly developed.

Scientific novelty

The scientific novelty of the study is that the article highlighted topical issues of international

cooperation in the field of police management training in the context of contemporary realities of administrative and legal development.

Conclusions

Thus, despite all the differences and approaches in the training of police management, the desire for alignment, standardization and coherence of higher police education in terms of integration and cooperation of all spheres of activities of national police and international police organizations of EU countries is clearly evident.

The analysis of police training showed that one of the main trends in the development of vocational training systems for police management personnel is the tendency to integrate them.

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Адміністративно-правові аспекти міжнародного співробітництва у сфері професійної підготовки управлінських кадрів поліції

Метою статті є дослідження сутності й актуальних питань міжнародного співробітництва у сфері професійної підготовки управлінських кадрів поліції. **Методологія.** У роботі використано загальнонаукові та спеціально-наукові методи пізнання, конкретне поєднання яких зумовлене метою та завданнями дослідження. Використання формально-логічного методу дало змогу визначити, уточнити й доповнити окремі поняття, упорядкувати понятійно-категоріальний апарат. Застосовано також методи формальної логіки, зокрема аналізу й синтезу, дедукції та індукції, аналогії, узагальнення тощо. **Наукова новизна** статті полягає в тому, що в ній здійснено дослідження міжнародного співробітництва у сфері професійної підготовки управлінських кадрів поліції на сучасному етапі державно-правового розвитку, а також виокремлено актуальні проблеми в цій сфері. **Висновки.** Міжнародне співробітництво у сфері підготовки управлінських кадрів Національної поліції України є одним із пріоритетних напрямів. Подальші наукові дослідження в цій сфері слід пов'язувати з детальним розробленням окремих проблем адміністративно-правового регулювання в аналізованій сфері. Зокрема, це стосується питання підвищення кваліфікації керівних кадрів з використанням досвіду країн ЄС. Проблеми постають і у випадку відрядження для підвищення кваліфікації управлінських кадрів до країн Європейського Союзу, що актуалізує необхідність розроблення дієвого механізму міжнародної співпраці. У роботі сформульовано висновки щодо можливості використання міжнародного співробітництва в удосконаленні системи адміністративно-правового забезпечення професійної підготовки управлінських кадрів Національної поліції України.

Ключові слова: управлінські кадри поліції; міжнародне співробітництво; іноземний досвід, професійна підготовка; освіта дорослих; адміністративно-правове забезпечення; євроінтеграційна політика.