

**SECTION 6.**

LAW AND INTERNATIONAL LAW

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## **PROBLEMS OF QUALIFICATION AND IMPLEMENTATION OF CRIMINAL PROCEDURAL LAW STANDARDS IN MODERN LAW ENFORCEMENT PRACTICE**

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The effectiveness of criminal procedural law is determined not only by its legislative perfection but also by the real mechanisms of its implementation. In particular, issues of law enforcement play a crucial role, encompassing both the qualification of crimes and the procedural aspects of law enforcement agencies' work. The lack of clear definitions and the presence of evaluative concepts in criminal procedural legislation create difficulties in judicial practice, necessitating thorough analysis and the development of effective mechanisms to overcome these challenges.

The development of Ukraine's criminal procedural legislation requires a clear definition of legal norms governing criminal proceedings. As noted in previous studies, after the adoption of the new Criminal Procedure Code of Ukraine, the issue of norm structure has become particularly relevant [1]. Special attention should be paid to atypical norms, which may contain evaluative concepts requiring a unified approach to their interpretation [2].

Research into law enforcement mechanisms in criminal procedure indicates that the disposition of norms is crucial for shaping judicial practice. An analysis of court rulings demonstrates that norms lacking clear formulations cause difficulties in their application [3]. In particular, the complexity of criminal procedural relations necessitates greater specificity in norms regulating evidence collection procedures and procedural decision-making.

Furthermore, in law enforcement practice, the qualification of crimes related to the misappropriation of property through abuse of office is of particular importance. As noted by Shkola S.M., defining the subject of such offenses is key to properly distinguishing between administrative and criminal liability [4].

The effective application of criminal procedural law standards is a significant factor in ensuring legal stability and social security. One aspect of this issue is the protection of the state's social standards and guarantees. Research by Nalyvaiko I. indicates that the role of the state in ensuring social guarantees and standards directly influences the implementation of criminal procedural standards [5][6]. In particular, the issue of social protection for combatants, who require special legal guarantees, is extremely relevant in contemporary conditions [7].

The practice of amnesty and pardon plays a crucial role in the implementation of criminal procedural law standards. According to research conducted by Muzyka Sh., public opinion on these processes influences the formation of law enforcement policies and the criteria for their application [8]. The practical aspects of amnesty implementation in Ukraine remain problematic, necessitating improvements in the relevant procedures [9].

Special attention should be paid to the activities of the National Police in the field of administrative services, which play a crucial role in maintaining public order. As noted by Fomenko A.Ye., the regulation of the permit issuance process for the acquisition and transportation of firearms requires improvement, as current legislation does not always account for modern challenges in public security [10].

Significant attention should also be given to financial crimes and their investigation. Research by Fomenko A.Ye. on the initial stages of investigating fraud with financial resources in cyberspace highlights the need to develop new methodologies for collecting evidence and integrating digital technologies into procedural activities [11].

In addition to general issues concerning the structure of criminal procedural law standards, an important aspect of law enforcement is the effective functioning of administrative procedures that ensure fairness in judicial proceedings. In this context, the position of Yakovenko Ye.O. is particularly relevant, as he analyzes the legal aspects of administrative arrest of a taxpayer's property [12]. He emphasizes that the legal mechanisms for implementing administrative sanctions must meet the standards of legal certainty and be integrated into the broader system of criminal procedure.

At the same time, the ability of state fiscal service authorities to act on court enforcement documents remains a contentious issue. Yakovenko Ye.O. and Sokolenko O.L. point out the ambiguity in the regulatory framework governing such matters, leading to diverse approaches in judicial practice [13]. This confirms the need to clarify legislative norms and establish unified standards for their application.

Judicial review of administrative cases also significantly impacts procedural court activities, ensuring effective appeals against government decisions. In his work, Yakovenko Ye.O. underscores that judicial bodies play a key role in ensuring the implementation of criminal procedural law standards [14].

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Beyond administrative mechanisms, an essential area of criminal procedural law research concerns legal approaches to crime qualification and prevention. In particular, Svitlychnyi O.O. analyzes the problem of crime qualification related to the corruption of minors, emphasizing the necessity of clearly distinguishing these offenses from related sexual crimes [15]. This issue is critically important for judicial practice, as the proper determination of the crime's elements directly influences the application of legal sanctions.

Furthermore, the issue of the corruption of minors poses significant social danger, requiring legal regulations to consider the psychological and social development of victims. As highlighted by Svitlychnyi O.O., there is an urgent need to improve qualification mechanisms for such crimes, taking into account modern threats and trends in law enforcement practices [16].

The research conducted by Khryapinskyi P.V. and Svitlychnyi O.O. highlights the necessity of revising modern criminal legislation to enhance the effectiveness of combating crimes against the sexual inviolability of minors [17].

Another significant aspect of law enforcement is oversight in the field of customs offenses. As noted by Kravets M.O., public control in the sphere of public administration is an essential component of the rule of law [18]. His research indicates the need to improve administrative supervision mechanisms and create effective legal tools for regulating customs procedures.

The issue of qualifying customs violations is also crucial in law enforcement practice. Kravets M.O. analyzes the procedural aspects of classifying such offenses, emphasizing the need to consider all circumstances that may influence the legal assessment of offenders' actions [19]. The proper establishment of the grounds for qualifying customs violations plays a key role in defining their legal nature and consequences [20].

The implementation of criminal procedural law requires a systemic approach, encompassing both legislative improvements and the introduction of uniform law enforcement standards. Research analysis demonstrates that solving issues of crime qualification, enhancing judicial control mechanisms, and regulating administrative procedures are essential steps in increasing the effectiveness of criminal procedural activities. Special attention should be given to issues related to the qualification of crimes with high social danger, as well as ensuring proper oversight of administrative procedures, particularly in the field of customs violations.

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