Кримінальне право та кримінологія; кримінально-виконавче право

УДК 343.9 DOI 10.33244/2617-4154.2(11).2023.76-89

Olesia Bodunova,

Candidate of Law, Associate Professor e-mail: olesalasuk@gmail.com ORCID ID 0000-0001-9179-5985; Tetiana Yatsyk, Candidate of Law, Associate Professor e-mail: zvezda171088@gmail.com ORCID ID 0000-0003-4207-4633; Nataliia Luhina, Candidate of Law, Associate Professor, State Tax University e-mail: natali.lugina7@gmail.com ORCID ID 0000-0001-6005-2943

PARTICIPATION OF MASS MEDIA IN DETECTION OF CRIMES IN MARTIAL LAW IN UKRAINE (ON THE EXAMPLE OF IRPIN, KYIV REGION)

The scientific article examines the main principles of media interaction with law enforcement agencies in Ukraine under martial law. It is noted that since February 24, 2022, the Russian occupiers have been waging an active information war, in addition to active hostilities, shooting civilians, aggressively destroying houses and looting property. It manifests itself in the use of fake profiles in social networks to obtain information about the deployment of the Armed Forces of Ukraine, territorial defense and disinformation of the civilian population, providing false information to Ukrainians with the aim of returning them to the zone of active hostilities. It was noted that the occupiers carried out an active information attack on the national mass media in order to stop the spread of information about Russian aggression and the killing of civilians.

It is noted that the interaction of law enforcement agencies and the mass media should be understood as a kind of relationship between the press services of law enforcement agencies and the mass media, as a result of which they complement each other's results, creating a basis for more effective work of each of the parties. Areas of interaction between mass media and law enforcement agencies in Ukraine under martial law are highlighted.

Taking into account the norms of legislation and the social and political realities that have developed in Ukraine, recommendations are given regarding the interaction of law

[©] Bodunova O., Yatsyk T., Luhina N., 2023

enforcement agencies with the mass media: 1) the adoption of a separate legal act that would determine the main principles of interaction of law enforcement agencies with the mass media; responsibilities of the parties, in particular, journalists, advice and recommendations on properly informing the public about events taking place in Ukraine; 2) cooperation of law enforcement agencies with mass media should be based primarily on the principles of ensuring the safety of individuals, and only then on timely informing the public about events; 3) law enforcement agencies need to pay special attention to journalists who work in the field of ensuring international standards, so that they properly convey information both to the civilian population and to the international community.

Keywords: law enforcement agencies, mass media, martial law, criminal offense, war crimes, war in Ukraine, warnings, directions of cooperation.

Introduction. According to the Constitution of Ukraine, our state is democratic, social and legal. That is why "man, his life and health, honor and dignity, inviolability are the highest social values" [8]. This provision is one of the main in the Basic Law of our state.

Every citizen has the right to access public information, which is an integral part of the reflection of a person's right to information. Such a right is part of the right to information and they are not identical concepts. The right to information is a broader concept and includes a list of powers. It should be understood as freedom of speech, as well as the power to collect and store and disseminate information. As for the right to public information, it is the right to receive information. Today, the normative guarantee of the right of a person to access public information is an important guarantee of the existence of democracy in the state.

In research O. M. Liashuk and T. M. Yatsyk aptly notes that in a democracy, one of the priority human rights is the right to have free access to information sources, the right to freedom of speech and opinion and the opportunity to obtain information on the work of higher state and local governments. The mass media (hereinafter referred to as the media) have the most important role in the realization of these rights. The media, interacting with public authorities and local governments by virtue of their activities have certain data and have the opportunity to disseminate them among citizens. In order for democracy to develop continuously and for the rights and freedoms of citizens not to be violated, but only to be strengthened, such interaction between state bodies and the media needs to be strengthened, improved and increased [19].

O. M. Bodunova in her scientific work noted the reasons for the increase in the number of high-tech illegal acts, namely criminal offenses related to the use of high information technology. The main reasons for this are: the comprehensive use of modern information systems and technologies in public life, the rapid spread of information technology, the basis of which is based on the global Internet, as well as the possibility of a large number of users with unimpeded access to it. In 2014, when the Russian invasion of Ukraine, there was an urgent need to create a system that would ensure the security of our country's cyberspace, as the result of the hostile invasion was not only military action and information and psychological pressure, but also constant cyber attacks in the information space of Ukraine [3, p.18]. Thus, since February 24, 2022, the russian occupiers have been waging an active information war in addition to active hostilities, shootings of civilians, aggressive destruction of houses and theft of property. It manifests itself in the use of false profiles on social networks to obtain information about the location of the Armed Forces of Ukraine, territorial defense and disinformation of civilians, providing Ukrainians with false information to force them to return to the area of active hostilities. There was also an active information attack on the national media in order to stop the spread of information about russian aggression and the killing of civilians.

For this reason, the cooperation of representatives of state structures, territorial defense with representatives of the media space is of paramount importance and their appeal is related to the need to assist in identifying, disclosing and preventing future crimes, namely: identifying victims of crime and witnesses. This act, obtaining information on the circumstances of the illegal act, identifying and detaining persons involved in the commission of a criminal offense, finding stolen property and other traces of a criminal act.

We believe that the interaction of law enforcement agencies and the media should be understood as a kind of relationship between press services from law enforcement agencies and the media as a result of which they complement each other's results while creating a basis for more effective work of each party.

V. D. Bernaz notes that law enforcement agencies, interacting with the media, have the opportunity in the course of their work to make more effective use of their resources of intellectual and material nature; to optimize the decisions of investigative bodies and tasks of an operational nature; to improve the indicators of the implemented measures in the procedural, operative-search, law enforcement and preventive spheres; to build the correct perception of law enforcement systems in civil society [2].

It is useful for law enforcement agencies to use the media space in their activities, as this would be the basis for strengthening law and order in the country and aims to strengthen the legal culture of citizens, as well as instill in them respect for legislation and the work of law enforcement officials structures.

According to the statistics presented by the Prosecutor General's Office of Ukraine for 2019, the Prosecutor's Office of Ukraine covered 60,089 appeals through the media, namely: 6,277 in print media, 9,962 in electronic media, 10,023 in news agencies, in Internet sources – 33,544, in foreign media accredited in Ukraine – 52 appeals. If we take the year 2020 for comparison, in the first three months alone the representatives of the Prosecutor's Office of Ukraine covered 15,864 appeals through the media, namely: 1,568 in print media, 2,163 in electronic media, 3,018 in news agencies, and 3,018 in news agencies. There are 9,047 Internet sources and 55 appeals in foreign mass media accredited in Ukraine. A comparison shows that these figures are nineteen percent higher than in the same period last year [7].

Regarding the above, it should be noted that in martial law, the interaction of law enforcement agencies and the media has certain areas that need to be improved, namely: improving legislation to more clearly define the relationship between the parties; attention should be paid to the efficiency of dissemination of information on activities carried out by law enforcement agencies; focusing on the competencies of media representatives. Thus, the

issue of cooperation between law enforcement agencies and the media to prevent crime in martial law needs to be further developed and improved by representatives of the scientific community in the field of criminal law and criminology. The above actually led to the focus on the problem and the choice of this topic as relevant for scientific research.

Materials and methods. The empirical basis of the scientific article was the provisions of legal acts of Ukraine, in particular, on martial law, regulation of the media, the interaction of law enforcement agencies with the media. Empirical databases should also include official statistics on the speeches of law enforcement officials in the media, including data from the Prosecutor General's Office of Ukraine. The theoretical basis of this article were modern scientific developments of domestic and foreign scientists on the interaction of the media and law enforcement agencies in crime prevention and media coverage of hostilities in Ukraine.

Research methods were determined according to the purpose, objectives, object and subject of the article. General scientific and special research methods were used in the research process. Formal-logical methods were used to analyze the norms of the Criminal Procedural Code of Ukraine, substantiate the conclusions and proposals for their supplementation and clarification; the systematic method made it possible to determine the forms of interaction between Ukrainian law enforcement agencies and the media. The method of synthesis and generalization was used to form conclusions.

Results and discussion. russian propaganda and its influence on the Ukrainian media have been talked about for eight years. In December 2014, the Ministry of Information Policy was established in Ukraine, one of the tasks of which was to resist russian aggression. In addition, in September 2019 the Ministry of Digital Transformation of Ukraine was established in our country. It is the central executive body responsible for building and implementing the state policy in the field of digitalization, open data, state electronic data of information content, interoperability – cooperation network systems based on unified interfaces or protocols, implementation of services through electronic devices and systems and improving the literacy of the population in the field of digitalization.

Opinions of scholars and practitioners differ: some believe that journalists should be soldiers in this war, others insist that the media should do their main job – to honestly inform the public.

This is especially important in the formation of interaction between the media and law enforcement agencies in the crime prevention. During the war, this issue became one of the most important both in scientific circles and among practitioners, because the media is a guide to the population to reliable and objective information.

It is worth noting that a significant number of crimes were committed during the war in Ukraine. They can be divided into two types – those committed by the russian occupiers in Ukraine (genocide, murder, rape, etc.) and those committed by citizens of Ukraine (looting, etc.). Objective and timely coverage of information about criminally illegal acts allows to quickly establish the identity of the offender, gather evidence and bring such a person to justice.

At the same time, in the current context, moderate coordination of certain areas is still relevant, which would allow law enforcement agencies and the media to perform their duties

Bodunova O., Yatsyk T., Luhina N. Participation of mass media in detection of crimes in martial law in Ukraine (on the example of Irpin, Kyiv region)

without hindrance, which has been useful for the representatives of each party. It should also be borne in mind that the relationship between the two parties is crucial in the matter of both obtaining and disseminating true data from primary sources, and not from the testimony of third parties, unconfirmed comments, and so on.

It should be noted that the legal norms of the Ukrainian state, as well as international legal norms define specific limits on the dissemination of certain data at the time of the pre-trial stages of the investigation [11; 17; 9; 13]. In this case, we are talking about the secrecy of the pre-trial investigation, which is protected by the law of various branches – criminal law, criminal procedure, as well as the law of the Prosecutor's Office. However, given the urgency of the need to prevent martial law, law enforcement officials are trying to cooperate fully with the media. We made an attempt to single out these areas of cooperation by analyzing the work of representatives of the scientific community, as well as legislation.

One of such areas of cooperation is the interaction of law enforcement officials with the media to inform the public about criminal offenses, the progress of investigations of such offenses, as well as to prevent such socially dangerous acts in the future. The interaction of law enforcement officials with the media has become especially important at a difficult time for Ukraine – the introduction of martial law throughout the country. It is through the media that citizens are provided with up-to-date information on criminal offenses committed under martial law.

The media has long been considered the fourth branch of government and this statement is gaining more and more support. It is the media that are able to influence society, forming an appropriate opinion and conveying it to the general population. In our opinion, the media is a kind of army that works in the rear of the country, especially in wartime. With the help of television, radio, print media it is possible to form a certain model of attitude to law enforcement agencies, authorities in general and to its individual representatives, by covering the perpetrators of illegal, socially dangerous acts can influence the prevention of such acts in the future. The media is a kind of filter between the state and society.

"By disseminating certain messages and materials, the media create a certain public opinion, mood, forming the views and behavior of individuals, social groups, and ultimately – society as a whole. In other words, by communicating certain information to their readers, listeners or viewers, the media evoke certain feelings in them, according to which certain patterns of behavior are formed in people. Given that the consumer of the media is almost everyone, similar processes can be similarly formed in society as a whole or in most of it" [12].

Proper construction of the media will allow to promptly inform citizens with relevant and verified information, and at the same time form a general public vision of a phenomenon and attitude to it. In today's conditions, it is very important for Ukraine to continue to support the proper work of the media and to counteract the dissemination of rail information disseminated by the aggressor country.

If we compare the work of media representatives in peacetime and during hostilities, in general, this work is very similar, but at the same time has many differences. First of all, the media should pay attention to the rules of work of journalists during martial law, which are developed by the state and clearly follow these rules. And also promptly inform the audience

about the events, but do not forget that any information must be verified. Therefore, a very important point of cooperation between law enforcement and the media, because the latter have the opportunity to timely inform consumers and most importantly – this information will be obtained from the original source, is reliable and will no longer need to be verified. And law enforcement agencies, in turn, will have another lever to influence the audience: the formation of a positive image of such a body, increase the level of trust and most importantly – to prevent the future commission of socially dangerous acts. But law enforcement officials and the media must not forget to comply with the requirements for providing information to the final consumer. What does it mean? First of all, it is a question of observing the secrecy of the pre-trial investigation and the principles of criminal procedural law – the presumption of innocence and ensuring proof of guilt. This means that the media should cover only that part of the information about the pre-trial investigation, which can not harm the effectiveness and efficiency of such an investigation and unjustifiably do not stigmatize the perpetrator without proving his guilt.

It should be noted that during the martial law in Ukraine, in Irpin, Kyiv region, which was liberated from Russian invaders, many looters appeared. Immediately, the leadership of the territorial defense of the city decided to strengthen cooperation with the police on round-theclock patrolling the streets. Every day, law enforcement officers and defenders detained looters with the looted property of local residents with money, laptops, phones, car keys, and gold. Such people were handed over to the police, but before the case was looted, looters were involved in cleaning the city [4].

Such activities on the part of law enforcement and territorial defense were actively and promptly covered in the media. Irpin mayor Oleksandr Markushin (also the head of territorial defense) has published almost every case of looting in the city, urging people not to make money on someone else's mountain. Such messages from the leadership were quickly picked up by the local media. We believe that such actions have a positive effect on the legal consciousness of citizens, causing contempt for those who steal other people's property during the war.

It should be noted that in the conditions of martial law in the country, the interaction of the press services of law enforcement agencies and the media in order to prevent future offenses and prevent crime in general is important. We fully agree with the position of scholars that such cooperation of the media with law enforcement agencies should ensure public order and security of every citizen and at the same time journalists could perform their work effectively and safely [1].

As practice shows, the word has a very significant force, especially in the prevention of offenses. In order to prevent conflicts and resolve them by non-violent means, the Main Directorate of the National Police in Kyiv has a preventive communication department, whose activities are aimed at identifying conflicts during mass events and preventing citizens from committing criminal offenses.

Not all members of the media share the opinion that it is necessary to cooperate with the press services of law enforcement agencies, believing that the latter can impose their opinion on them and the audience, to embellish the information in their favor. But we must not forget

Bodunova O., Yatsyk T., Luhina N. Participation of mass media in detection of crimes in martial law in Ukraine (on the example of Irpin, Kyiv region) that such cooperation is necessary, because the media can also abuse their power, chase sensations and distort information, so it is very important to establish such cooperation based on the principles of mutual assistance, justice, efficiency, efficiency, comprehensiveness.

"Most media appreciate information from official sources. Such sources are government agencies, law enforcement agencies. However, the information itself is not enough to interest the media to tell about it. In order to establish contact with journalists, it is necessary not only to report facts, but also to learn to "wrap" them in a familiar and convenient for journalists wrap: provide information quickly, make sure it is accurate, relevant, specific and fit the news, analytical article. a TV show or any other material that can be done about the activities of the law enforcement agency" [15]. That is why, in our opinion, the cooperation of law enforcement representatives (press service) with the media is needed. Not all law enforcement officials can successfully provide information to the media, as this is a specific area of activity and requires special skills. Information about the activities of law enforcement agencies should be prepared by representatives of press centers (communication professionals), which will simplify the work of law enforcement agencies, because everyone has to do their job (investigator – to investigate, and communicator – to provide information to the media).

Proper building of cooperation between the press services of law enforcement agencies and the media is still important because it will relieve the activities of law enforcement agencies in response to inquiries sent by media representatives. Today, there is a problem with sending a large number of requests to law enforcement agencies from the media to obtain public information. This, in turn, complicates the work of law enforcement agencies, as they have to deal primarily with their primary responsibilities – to conduct timely, effective and impartial investigations into criminal offenses. Therefore, in order to eliminate or at least minimize such a problem, the press services of law enforcement agencies should function and cooperate directly with the media.

We believe that there is another mistake of law enforcement agencies in the process of covering information about their activities. The official websites of such bodies contain too much general information about reporting – it is usually good that systematic reporting takes place, but today it requires government and law enforcement agencies to be closer to society. This means that law enforcement officials should actively cover information on specific measures taken against offenders, provide information on the investigation of high-profile criminal offenses, respond in a timely manner to publications on law enforcement activities, actively participate in media events to timely inform citizens and prevent committing criminal offenses in the future. In our opinion, it is still very important to constantly monitor your audience and determine their priorities, preferences regarding the form of information. For example, most citizens now draw information from Internet sources, television and radio, so first of all it is necessary to intensify the interaction of law enforcement officials with the media in these areas.

Thus, from the above we can say that there are many problems in the legal regulation not only during the interaction of media representatives with law enforcement agencies, but also the organization of such cooperation. Another area of interaction between the media and law enforcement officials under martial law is the accreditation of journalists in the territory of active hostilities. Usually, local governments set the rules for journalists to stay in such an area, as there is a great danger that the occupiers will shoot, despite the press cards. A similar situation occurred in Irpin, when on March 13 the occupiers shot dead a 51-year-old correspondent of the world-famous New York Times. Another journalist was injured. Of course, the profession of journalist involves risk, but US citizen Brent Reno paid with his life for trying to cover the insidiousness, cruelty and ruthlessness of the aggressor [5]. That is why the local authorities banned journalists from entering the city for a while. When the city was completely liberated from russian invaders, the Irpin administration allowed journalists to film the aftermath of the occupation, but under strict rules.

In general, in Ukraine, under martial law, there are certain rules for the activities of journalists, which are established by local governments. Thus, for the professional activity of journalists before the curfew, there are enough documents proving their identity and a press card issued by the editorial office of the media they represent. To work during curfew in the city, region, journalists must obtain permits issued under the signature of the commandant of the military administration.

In addition, journalists are prohibited from taking photographs or filming checkpoints; airports; railway stations; oil depots; oil and gas pipeline facilities; power plants; Ukrainian military; Ukrainian military equipment; to be in the city during the curfew. In case of non-compliance with such requirements, the person has the right to detain.

It should be noted that Ukraine has made recommendations on the activities of journalists in the war zone and in the occupied territories. These include:

1. Always carry a folder with your identity documents, including an international press card.

2. You need to dress appropriately and in comfortable clothes. It will often be necessary to merge with the crowd, because sometimes it is safer to go unnoticed.

3. It is forbidden to carry a pistol or other weapon.

4. It is forbidden to wear dark green clothes or tactical clothes or something resembling a soldier's clothes.

5. You do not need to bring things such as binoculars or equipment with an antenna, because you can be accused of espionage.

6. Be careful with any items that resemble weapons. Do not store military documents, clothing or equipment as souvenirs.

7. You need to carry a shortwave radio to stay up to date. You may also find yourself in a situation where no means of communication will be available, so you need to have a satellite phone with fax, e-mail and Internet services.

8. Take a minimum of equipment with you – carrying heavy things, you can get into trouble.

9. Always carry a first aid kit.

In addition, you need to follow certain rules at checkpoints. Yes, in the beginning to reduce the speed of the car; prepare documents for inspection in advance; turn off the

Bodunova O., Yatsyk T., Luhina N. Participation of mass media in detection of crimes in martial law in Ukraine (on the example of Irpin, Kyiv region) headlights; turn on the emergency light and the light inside the car in the dark; do not record video, turn off the DVR; do not get out of the car without the permission of the military; clearly answer military questions; be prepared at the request of the military, police or volunteer guards on duty at the checkpoint, open the trunk and allow to inspect the car after passing the checkpoint, after inspection and permission to continue driving, citizens need to gradually gain speed in the car.

Thus, based on the above, the interaction of the media with law enforcement agencies under martial law is structured, well-established. In our opinion, the above recommendations should be enshrined in a separate legal act, which on the one hand will allow both journalists and law enforcement officers to perform their work effectively and efficiently, and ensure the safety of these persons.

Another equally important area of cooperation between law enforcement officials and the media is the organization and holding of joint scientific-practical, communicative, charitable events on various topics. Such activities allow disseminating information about the work of law enforcement officers under martial law, disseminating the necessary information to ensure the safety of citizens and raising funds to compensate for the damage caused by the russian occupiers to the civilian population.

Also, conducting live broadcasts and streams from the places of hostilities allows to draw the attention of the international community to the terrible consequences of the war. During such broadcasts, representatives of local authorities and law enforcement agencies talk about war crimes committed by the occupiers against the civilian population, show the demolished and destroyed houses, schools, kindergartens, call for a response to such actions by the aggressor country.

Thus, the cooperation of the media with law enforcement agencies in the martial law in Ukraine provides an opportunity to quickly cover important information on security of citizens, rules of conduct in the occupied territories, and, last but not least, helps to find russian criminals who committed military crimes. criminal offenses on the territory of Ukraine.

Regarding the latter, the most successful example of such interaction between law enforcement agencies and the media in martial law is the creation of the Telegram-chatbot "Yevorog", which can inform about the occupiers involved in the genocide of the Ukrainian people. As a result, saboteurs cannot spam fake photos or videos, and the military receives truthful information. It is worth noting that in the short period of the chatbot, law enforcement agencies have already received 31 reports of murderers who will be severely punished for their actions [16].

The Ministry of Digital Transformation has also published a list of services for searching for people missing during the war. Since the beginning of the large-scale russian invasion, Ukrainians have been forced to hide in bomb shelters, evacuate to safer regions, and some are being forcibly deported by the russian military. Therefore, the ministry has compiled a list of online services that will help search for missing relatives and friends. In particular, the Ministry of Finance offers the Telegram-channel "Search for the Missing" – one of the largest resources for searching for children and adults. It's easy to navigate with hashtags with city

names. There is also a Telegram channel "Search Ukraine 2022" – to search for people throughout Ukraine. To apply for a search, you must complete a Google form, which will be submitted to volunteers and territorial defense fighters. There is a bot "Find relatives", created on the initiative of the "International Cyber Security Association" and other public organizations [14; 16].

However, no matter how successful the cooperation between the media and law enforcement agencies in the martial law in Ukraine, there are always problematic issues that need to be addressed. In our opinion, these include:

1) legal uncertainty of cooperation of mass media with law enforcement bodies in the conditions of martial law in Ukraine [6];

2) insufficiently established cooperation in obtaining comments on important military issues, because in most cases such interaction is formal;

3) limited access of journalists to law enforcement officers in order to obtain the necessary information;

4) delaying the process of dissemination of important information by law enforcement agencies [10].

In view of the above, Ukraine today needs to develop a quality information policy under martial law, which will allow timely information to citizens about the most important events in Ukraine, increase media literacy, as well as the ability to resist the spread of false information from the Russian Federation [18].

Conclusions. Thus, taking into account the legislation and current socio-political realities in Ukraine, we can make recommendations on the interaction of law enforcement agencies with the media:

1) adoption of a separate legal act, which would determine the basic principles of interaction of law enforcement agencies with the media in martial law, areas of such interaction, rights and responsibilities of the parties, including journalists, advice and recommendations on informing the public about events in Ukraine;

2) cooperation of law enforcement agencies with the media should be based primarily on the basis of ensuring the safety of persons, and only then - on timely informing the public about events;

3) Law enforcement agencies need to pay special attention to journalists who work in the field of ensuring international standards in order for them to properly convey information to both the civilian population and the international community.

Recommendations. We have proposed ways to improve the interaction of the media with law enforcement agencies in the martial law in Ukraine and identified areas for such cooperation. In particular, it is proposed to adopt a legislative act defining the basic principles of interaction between law enforcement agencies and the media in martial law, areas of such interaction, rights and responsibilities of parties, including journalists, advice and recommendations on informing the public about events in Ukraine. In addition, this scientific work can serve as a basis for further doctrinal research in this area.

СПИСОК ВИКОРИСТАНИХ ДЖЕРЕЛ

1. Андрійчук М. Т., Андрійчук Т. С. Взаємодія мас-медіа та органів державної влади : навч. посіб. КПІ ім. Ігоря Сікорського. Київ : КПІ ім. Ігоря Сікорського, 2018. 114 с.

2. Берназ В. Д., Бірюков В. В., Волобуєв А. Ф. Криміналістика : підручник. Х. : XHУBC, 2011. 666 с.

3. Бодунова О. М. Теоретико-правові засади визначення поняття злочинів у сфері інформаційних технологій. Вісник Вищої кваліфікаційної комісії суддів України. 2019. № 3. С. 17–21.

4. В Ірпені затримали групу мародерів з награбованим майном мешканців / офіційний сайт видання Zahid.net. URL : https://zaxid.net/v_irpeni_zatrimali_grupu_ maroderiv_z_nagrabovanim_maynom_meshkantsiv_n1540156

5. В Ірпені окупанти вбили американського журналіста / офіційний сайт LB.ua. URL : https://lb.ua/society/2022/03/13/509319_irpeni_okupanti_vbili.html

6. Дніпренко Н. К. Комунікативна політика в органах місцевого самоврядування та державного управління в Україні: реалії, нові підходи, вихідні тенденції : зб. наук. пр. УАДУ: в 4 ч. К. : Вид-во УАДУ, 2000. Вип. 2, ч. ІІІ. С. 217–223.

7. Звіт про роботу прокурора / офіційний сайт Офісу Генерального прокурора України. URL : https://old.gp.gov.ua/ua/statinfo.html/

8. Конституція України: Закон від 28.06.1996 № 254к/96-ВР // База даних «Законодавство України» / ВР України. URL : http://zakon2.rada.gov.ua/laws/show/ 254%D0%BA/96%D0%B2%D1%80

9. Кримінальний процесуальний кодекс України: Закон України від 13.04.2012 № 4651-VI // База даних «Законодавство України» / ВР України URL : http://zakon2.rada.gov.ua/laws/show/4651%D0%B017/print1329932-924471646

10. Палеха Ю. І., Водернацький Ю. В. Етика ділових стосунків. К., 1999. 138 с.

11. Про прокуратуру: Закон України від 14.10.2014 № 1697-VII // База даних «Законодавство України» / ВР України. URL : http://zakon2.rada.gov.ua/laws/show/ 1697-18

12. Проноза І. І. Засоби масової інформації і комунікації в інформаційній війні як сучасна політична практика. *Політикус* : науковий журнал. 2020. № 3. С. 65–69. URL : http://politicus.od.ua/3_2020/12.pdf

13. Роль прокуратури в системі кримінального правосуддя: Рекомендація Комітету Міністрів Rec (2000)19, ухвалена Комітетом міністрів Ради Європи 6 жовтня 2000 року. URL : https://wcd.coe.int/ViewDoc.jsp?id=1568277&Site=COE

14. Сервіси для пошуку зниклих під час війни людей / офіційний сайт видання «Укрінформ». URL : https://www.ukrinform.ua/rubric-society/3453125-servisi-dla-posukuzniklih-pid-cas-vijni-ludej.html

15. Смоляр Л., Довженко О. Як ефективно співпрацювати з медіа / офіційний сайт «Вокс Україна». URL : https://voxukraine.org/yak-efektivno-spivpratsyuvati-z-media/

16. У чат-бот «єВорог» тепер можна повідомити про вбивць у Бучі, Ірпені та Гостомелі / офіційний сайт видання «Українська правда». URL : https://life.pravda.com.ua/society/2022/04/7/248140/

17. Цивільний кодекс України : Закон від 16 січня 2003 року № 435-IV // База даних «Законодавство України» / ВР України. URL : http://zakon4.rada.gov.ua/laws/show/ 435-15

18. Яцик Т. П. Особливості інформаційного тероризму як одного із способів інформаційної війни. Науковий вісник Національного університету державної податкової служби України. Серія «Економіка, право». 2014. № 2. С. 55–60.

19. Liashuk O. M., Yatsyk T. P. Mass media as a factor in promoting the implementation of international wanted persons : monograph // Actual problems of the humanities. Volum 1. Vienna 2015, «East West» Association for Advanced Studies and Higher Education GmbH. C. 29.

REFERENCES

1. Andriichuk M. T., Andriichuk T. S. Vzaiemodiia mas-media ta orhaniv derzhavnoi vlady : navch. posib. KPI im. Ihoria Sikorskoho. Kyiv : KPI im. Ihoria Sikorskoho, 2018. 114 s.

2. Bernaz V. D., Biriukov V. V., Volobuiev A. F. (2011). Kryminalistyka : pidruchnyk. Kh. : KhNUVS. 666 s.

3. Bodunova O. M. (2019). Teoretyko-pravovi zasady vyznachennia poniattia zlochyniv u sferi informatsiinykh tekhnolohii. *Visnyk Vyshchoi kvalifikatsiinoi komisii suddiv Ukrainy*, 3, 17–21.

4. V Irpeni zatrymaly hrupu maroderiv z nahrabovanym mainom meshkantsiv: ofitsiinyi sait vydannia Zahid.net. URL : https://zaxid.net/v_irpeni_zatrimali_grupu_maroderiv_z_nagrabovanim_maynom_meshkantsiv_n1540156

5. V Irpeni okupanty vbyly amerykanskoho zhurnalista. Ofitsiinyi sait LB.ua. URL : https://lb.ua/society/2022/03/13/509319_irpeni_okupanti_vbili.html

6. Dniprenko N. K. (2000). Komunikatyvna polityka v orhanakh mistsevoho samovriaduvannia ta derzhavnoho upravlinnia v Ukraini: realii, novi pidkhody, vykhidni tendentsii : zb. nauk. pr. UADU: v 4 ch. K. : Vyd-vo UADU, Vyp. 2, ch. III, 217–223.

7. Zvit pro robotu prokurora / ofitsiinyi sait Ofisu Heneralnoho prokurora Ukrainy. URL : https://old.gp.gov.ua/ua/statinfo.html/

8. Konstytutsiia Ukrainy : Zakon vid 28.06.1996 № 254k/96-VR // Baza danykh «Zakonodavstvo Ukrainy» / VR Ukrainy. URL : http://zakon2.rada.gov.ua/laws/show/ 254%D0%BA/96%D0%B2%D1%80

9. Kryminalnyi protsesualnyi kodeks Ukrainy : Zakon Ukrainy vid 13.04.2012 № 4651-VI // Baza danykh «Zakonodavstvo Ukrainy» / VR Ukrainy. URL : http://zakon2.rada.gov.ua/laws/show/4651%D0%B017/print1329932-924471646

10. Palekha Yu. I., Vodernatskyi Yu. V. (1999). Etyka dilovykh stosunkiv. K. 138 s.

11. Pro prokuraturu : Zakon Ukrainy vid 14.10.2014 № 1697-VII // Baza danykh «Zakonodavstvo Ukrainy» / VR Ukrainy. URL : http://zakon2.rada.gov.ua/laws/show/ 1697-18

12. Pronoza I. I. (2020). Zasoby masovoi informatsii i komunikatsii v informatsiinii viini yak suchasna politychna praktyka. Naukovyi zhurnal "Politykus", № 3, 65–69. URL : http://politicus.od.ua/3_2020/12.pdf

13. Rol prokuratury v systemi kryminalnoho pravosuddia: Rekomendatsiia Komitetu Ministriv Rec (2000)19, ukhvalena Komitetom ministriv Rady Yevropy 6 zhovtnia 2000 roku. URL : https://wcd.coe.int/ViewDoc.jsp?id=1568277&Site=COE

14. Servisy dlia poshuku znyklykh pid chas viiny liudei: ofitsiinyi sait vydannia «Ukrinform». URL : https://www.ukrinform.ua/rubric-society/3453125-servisi-dla-posuku-zniklih-pid-cas-vijni-ludej.html

15. Smoliar L., Dovzhenko O. Yak efektyvno spivpratsiuvaty z media / ofitsiinyi sait «Voks Ukraina». URL : https://voxukraine.org/yak-efektivno-spivpratsyuvati-z-media/

16. U chat-bot «ieVoroh» teper mozhna povidomyty pro vbyvts u Buchi, Irpeni ta Hostomeli / ofitsiinyi sait vydannia «Ukrainska pravda». URL : https://life.pravda.com.ua/ society/2022/04/7/248140/

17. Tsyvilnyi kodeks Ukrainy : Zakon vid 16 sichnia 2003 roku №435-IV // Baza danykh «Zakonodavstvo Ukrainy» / VR Ukrainy. URL : http://zakon4.rada.gov.ua/laws/show/435-15

18. Iatsyk T. P. (2014). Osoblyvosti informatsiinoho teroryzmu yak odnoho iz sposobiv informatsiinoi viiny. *Naukovyi visnyk Natsionalnoho universytetu derzhavnoi podatkovoi sluzhby Ukrainy. Seriia «Ekonomika, pravo»,* 2, 55–60.

19. Liashuk O. M., Yatsyk T. P. (2015). Mass media as a factor in promoting the implementation of international wanted persons : monograph // Actual problems of the humanities. Volum 1. Vienna 2015, «East West» Association for Advanced Studies and Higher Education GmbH. 29.

О. М. Бодунова, Т. П. Яцик, Н. А. Лугіна. Участь засобів масової інформації у запобіганні злочинності в умовах воєнного стану в Україні (на прикладі міста Ірпінь Київської області)

У науковій статті розглядаються основні принципи взаємодії ЗМІ з правоохоронними органами в Україні в умовах воєнного стану. Зазначається, що з 24 лютого 2022 року російські окупанти ведуть активну інформаційну війну, крім активних бойових дій, розстрілів мирних жителів, агресивного руйнування будинків та розкрадання майна. Вона проявляється у використанні фейкових профілів у соціальних мережах для отримання інформації про дислокацію Збройних сил України, територіальну оборону та дезінформації цивільного населення, надання українцям неправдивої інформації з метою їх повернення у зону активних бойових дій. Відмічено, що окупантами була проведена активна інформаційна атака на національні ЗМІ з метою припинення поширення інформації про російську агресію та вбивства мирних жителів.

Зазначено, що під взаємодією правоохоронних органів і ЗМІ варто розуміти своєрідні відносини між пресслужбами правоохоронних органів і ЗМІ, в результаті

> Bodunova O., Yatsyk T., Luhina N. Participation of mass media in detection of crimes in martial law in Ukraine (on the example of Irpin, Kyiv region)

яких вони доповнюють результати один одного, створюючи основу для більш ефективної роботи кожної зі сторін. Виокремлено напрями взаємодії ЗМІ з правоохоронними органами в Україні в умовах воєнного стану.

Враховуючи норми законодавства та суспільно-політичні реалії, що склалися в Україні, надано рекомендації щодо взаємодії правоохоронних органів із ЗМІ: 1) ухвалення окремого нормативно-правового акта, який би визначав основні принципи взаємодії правоохоронних органів із ЗМІ; обов'язки сторін, зокрема журналістів, поради та рекомендації щодо належного інформування громадськості про події, що відбуваються в Україні; 2) співпраця правоохоронних органів із засобами масової інформації має базуватися насамперед на засадах забезпечення безпеки осіб, а вже потім – на своєчасному інформуванні громадськості про події; 3) правоохоронним органам необхідно звернути особливу увагу на журналістів, які працюють у сфері забезпечення міжнародних стандартів, щоб вони у належний спосіб доносили інформацію як до цивільного населення, так і до міжнародної спільноти.

Ключові слова: правоохоронні органи, ЗМІ, воєнний стан, кримінальне правопорушення, військові злочини, війна в Україні, попередження, напрями взаємодії.

Стаття надійшла до редколегії 23 березня 2023 року