

майбутніх юристів до професійної діяльності в інформаційному суспільстві та розроблення сучасних інформаційно-комунікаційних засобів. Використання ІНДЗ сприятиме формуванню високого інтелектуального й творчого рівня професійної компетентності студентів, виявленню особливих творчих здібностей студентів, вміння самостійно здобувати знання, без допомоги викладача знаходити та опрацьовувати необхідну правничу інформацію, використовувати здобуті знання й приймати виважені рішення у нестандартних ситуаціях, переконливо аргументувати відповіді.

Література

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LAW ENFORCEMENT AGENCIES AND TELECOMMUNICATIONS SERVICE PROVIDERS COLLABORATION IN EXECUTING REQUESTS FOR INTERCEPTION OF PRIVATE COMMUNICATIONS: EUROPEAN UNION REGULATION PRACTICE AS A LESSON FOR UKRAINE

Recent developments in Ukraine's foreign policy are clear indications of a tendency towards collective structures of security, economic and legal space of the European community. It is clear that, in addition to a number of new

opportunities, the process of integration and deepening cooperation will imply the other side - the inevitability of reforming and harmonizing the provisions of national legislation with certain common standards in the European community. This demonstrates that the problem of conformity of the domestic experience with the regulation of interference with private communication with European standards has a direct connection with important issues and practical tasks. We are timely, timely and relevant. It is worth noting that many national scientists share the importance and relevance to the needs of the present research topic. Her works were devoted to their works by V.P. Kononenko, Ya.Yu. Konyushenko, V.T. Malyarenko, V.V. Nazarov, Yu.Yu. Orlov, P.P. Podyukov, M.A. Pogoretsky, D.B. Sergeeva, V.O. Seryogin, N.S. Stefanov, V.G. Uvarov and other scientists. At the same time, special literature has, as a rule, focused on the case-law of the European Court of Human Rights, while the position of other institutions has only been reflected in isolated studies.

Against this background, we choose to cover the rulemaking practice of the Council of the European Union (hereinafter - the Council of the EU) in the context of regulating relations between law enforcement agencies and telecommunication service providers in fulfilling requests for intervention in private communication, as well as comparing them with domestic practice.

Since the mid-1990s, the EU Council has from time to time addressed issues of the protection of privacy rights in the context of the development of new technologies. The basic normative documents that make it possible to read EU Council standards for regulating relations between law enforcement agencies and telecommunications service providers in fulfilling requests for private communication are the Council Resolution of 17 January 1995 on the Lawful Interception of Telecommunications, Resolution EU of 20 June 2001 on the law enforcement agencies' prompt requests for public telecommunications networks and services and Directive 2002/58 / EC of the European Parliament and of the Council of 15 December 1997 "On the processing of personal data and the protection of privacy in the electronic communications sector".

If we look at these documents in chronological order, the first of these, the Council Resolution of the European Union of 17 January 1995 "On the legal interception of telecommunications" [1, pp. 1-6], dedicated to normalizing the ability of national law enforcement agencies to intercept telecommunications, contains a concise statement of proposals from competent law enforcement agencies for the technical implementation of law-enforced interception in modern telecommunications systems.

The need to adopt this document arose because of the need for uniform regulation of the relationship between law enforcement agencies and interceptors and providers of related services, prompting the Council to urge Member States governments to agree on this issue at the level of the ministers responsible for telecommunications and the ministers of justice.

In other words, the purpose of this resolution is to provide the necessary platform for telecommunication service providers and law enforcement to work together to meet prompt requests for information interception. Thus, in accordance with the provisions of the said resolution and in accordance with the rules of the national legislation of the EU Member States, law enforcement agencies need and need to have access to the tasks assigned to them: 1) all types of telecommunications, including when a controlled interception entity can use functions to transfer calls to other telecommunications services or terminal equipment, including calls that cross more than one network (such as in roaming) or process ARE more than one network operator (service provider); 2) to communication information (including in real time), in particular: a) a signal on the state of readiness of access; b) for the outgoing connection, the number of the party to which they contact, even if the connection has not been established; c) for an incoming connection, the number of the party to be connected, even if the connection has not been established; d) all signals received from the object of observation, including post-connection signals issued to activate functions such as conferencing and transmission; e) the beginning, end and duration of the connection; e) the actual destination and the intermediate subscriber number if the connection was diverted; 3) information about the most accurate geographical location known for the respective telecommunications network; 4) information on the specific services used by the controlled interception facility and the technical parameters for these types of communications.

Case in point: any issues of interference with private communication or organizational nuances of cooperation in this process with telecommunication service providers are absent as in the "Rules for Carrying Out Telecommunication Services (Internet Access Services)", approved by the National Commission carries out the state regulation in the field of communication and informatization № 803 from December 10, 2013, and in the "Procedure of state supervision of the telecommunications market", approved by the decision of the National Commission State regulation in the field of communication and information # 649 of December 13, 2012 The "Rules for the provision and receipt of telecommunication services" approved by the Cabinet of Ministers of Ukraine # 295 of April 11, 2012 contain only general references to the need secrecy of telephone conversations, telegraph or other correspondence transmitted by means of telecommunication equipment, and prohibition of withdrawal of information from telecommunication networks, except in cases established by law. This approach is unlikely to be in the interests of the public as users of telecommunications services and of the businesses that provide them.

Some fragmentary attempts to regulate certain aspects of interference with private communication were made in the "Procedure of interaction between the Security Service of Ukraine and the Administration of the State Service for

Special Communication and Information Protection of Ukraine in organizing certification of telecommunication equipment for compliance with the requirements of normative documents for technical means for implementation by authorized bodies - search activities in telecommunication networks of public use of Ukraine », however, how can you be sure driven experience, this is not enough. In our view, this requires further attention of scholars to the problem of improving national legislation concerning the protection of the right to privacy and the possibility of restricting it in the context of international standards. In our opinion, the main promising areas of research and the epicenters of creative efforts may be: detailed regulation of the relationship between telecommunication service providers and law enforcement agencies, as well as the introduction of effective parliamentary control in the area of unspoken restrictions on human rights in communication or communication bases.

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ИСТОРИЯ ПОЛИТИЧЕСКИХ И ПРАВОВЫХ УЧЕНИЙ КАК НАУКА И КАК УЧЕБНАЯ ДИСЦИПЛИНА

Происхождение государства и права привлекло особое внимание мыслителей античного мира. Только что возникшее государство, активно воздействовавшее на общество, не привыкшее к политическому принуждению, вызывало необходимость научного изучения его разносторонней деятельности. И античные мыслители с большим