

ADMINISTRATIVE LAW OF UKRAINE FOR FOREIGNERS

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In the publication, the achievements of the modern theory of administrative law and the administrative practice of the national public administration enable to reveal the key provisions of Ukraine's modern administrative law in the form of questions and answers. They are based on the examples faced by foreigners in Ukraine. The publication considers the human-centred theory, according to which national public administrators are required to ensure the rights and freedoms of foreigners. A popular scientific publication can be used as educational provisions for foreigners. Furthermore, it will be useful to foreign scientists and students.

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1.4 National Police of Ukraine¹¹

It is always possible that the foreigner should enter into legal relations with the police. In most cases, the police bear the burden of protecting foreigners in the event of unlawful attacks. **The National Police of Ukraine (the police)** is the central body of the executive power, which serves society by ensuring the protection of human rights and freedoms, combating crime, and providing public security and order. Police activities are carried out under a special Law¹².

The objectives of the police are to provide police services in:

- 1) Ensuring public safety and order;
- 2) Protecting human rights and freedoms, as well as the interests of society and the State;
- 3) Countering crime;
- 4) Providing assistance services to persons who need such assistance for personal, economic, social or emergency reasons.

The police officer is a citizen of Ukraine who has taken the Police Officer's Oath, serves in the relevant positions in the police and has been awarded a special police rank. The police officer has a service ID and a personal badge.

The police officer is a representative of the State in the course of exercising police powers vested. The legitimate demands of a policeman are binding on foreigners and other persons. Interference with the police officer's activities, obstruction of the performance of his or her respective powers, noncompliance with the legitimate instructions of a police officer, and any other unlawful acts against a police officer shall entail liability established by law.

¹¹ Olena Syniavska

¹² On National Police. Law of Ukraine.

To accomplish objectives assigned, the police take measures to respond to offences provided for in the Code of Administrative Offences and the Criminal Procedure Code.

Police officers may apply police measures to protect foreigners from unlawful infringements. **A police measure** is an act or set of preventive or coercive measures that restrict certain human rights and freedoms and are applied by the police as established by law to ensure the exercise of the police powers vested. Police measures are applied on the grounds and in the manner prescribed by law.

A police measure is applied to accomplish police powers exclusively. A police measure chosen shall be:

- Legitimate, that is, a police officer is prohibited to apply any other measures than those prescribed by the laws of Ukraine;
- Necessary, that is, another measure cannot be applied to exercise police powers or the application of another measure will be ineffective, as well as the police measure applied will cause the least harm to both the addressee of the measure and other persons;
- reasonable, that is, the harm caused to the legally protected human rights and freedoms or to the interests of society or the State in applying a police measure does not exceed the good to be protected by its application or the threat of harm posed;
- effective, that is, the application of a police measure ensures the exercise of police powers.

A police measure shall be stopped if its purpose has been achieved, if impossibility to achieve the purpose of the measure is evident or if there is no need for further application of the measure.

The State compensates the harm caused to a natural or legal person by the decisions, actions or inactivity of a police body or unit, or to a police officer in the course of exercising their powers.