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# CONTRIBUTION TO ISSUES REGARDING LAW ENFORCEMENT IN A LEGAL STATE IN THE FUNCTION OF CRIME SUPRESSION

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**Abstract:** Issues related to the legal state have recently become topical again both among experts and in general public. The notion of the legal state can be approached from different aspects. However, it is necessary to point out that different terms ('legal state', 'the rule of law', 'constitutional state'), despite significant differences among them, still stem from the same essence and from the same question: what properties should a state as a legally arranged community have in order to ensure that all its members behave in keeping with the rules that provide their common will and in such a way as to ensure that the same rules apply equally to the same cases? In other words, law in a legal state should present a manifestation of common will, and not be imposed by a minority decision. This being achieved, another condition has to be fulfilled: such a law should apply to all community members without exceptions. The function of law enforcement in all spheres of social life and in the sphere of internal affairs in particular, is to prevent crime and contribute to crime combating.

**Key Words**: legal state, rule of law, legality, legitimacy, legal act, crime.

## 1.Introduction

This paper presents an attempt to point out the significance of creating an ambience of a legal state and the process of law enforcement in such an ambience, which contributes to combating crime. Since each of these issues, i.e. the issue of legal state, the issue of law enforcement, and the issue of combating

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crime, could be a subject of either a master or doctoral thesis, or a monograph, this paper will only outline these questions and try to establish harmony and relations among them.

Besides, although there are numerous differences between a legal state and a state founded on the rule of law, in terms of cultural, historical, social, political, legal and other differences, owing to a number of factors they are not so conspicuous nowadays. Still, a legal state is more focused on the state authority and the rule of law is equally focused on both the state authority and the rights and freedoms of the individual. This is the reason for a prevalent opinion among contemporary authors that there are no more such significant differences between the legal state and the state based on the rule of law.[1]

The essence of the legal state is that all legal acts of state organs must be based on provisions contained in the state's most important legal act – the constitution. Such acts and provision contained therein must apply equally to all they concern. The security of everyone can be founded only on these foundations. This security is achieved by means of a system of legal rules which presents an order. In order to properly understand the functioning of a legal order, attention should be paid not only to creating a law, but also to its implementation, because a legal order "implies establishing, creating legal norms and their implementation[2].

Enforcement of laws relevant for internal affairs, as part of the legal system, implies the need to observe and respect scientifically established principles of a legal state. The time and circumstances which we live in call for further elaboration of these principles and even greater respect thereof in order to create an environment in which the mission of police in combating crime will be more efficient.

## 2. Legal state and law enforcement

The legal state, both as a phenomenon and a term first appeared in German political and legal theory during late 19th and early 20th centuries. German legal studies mostly relied on the formal understanding of the concept of legal state, placing a special emphasis on the need that state organs should obey the laws passed and that the work of state organs should be subject to judicial control, with a view to protect the rights and freedoms of citizens.

During the period of absolutistic feudal monarchy, judicial organs, and administrative ones in particular, performed their functions at their own discretion,

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[1] *D. Mitrović,* ***O pravnoj državi i drugim pravnim temama***, Belgrade, 1998, p. 215.

[2] *R. Lukić,* ***Uvod u pravo***, Belgrade, 1964. p. 175.

relying on their own judgment and interpretation of state interests. It was a period characterized by legal insecurity of citizens. Passing on the legislative power to the parliament elected by a general vote, in keeping with principles of democratic bourgeois revolutions, among other things, meant the beginning of the legal state. The legal state thus originates from the process of restricting the absolute rule of the monarch, who used to be endowed with the totality of executive power, and this process began in the period of democratic revolutions. Bearing in mind that this process was somewhat late in Germany because its monarchy outlived the bourgeois revolutions in other European countries (England, France), it was the German legal literature that first used the concept and term legal state in late 19th century and early 20th century, although the idea was conceived earlier.[3]

The evolution of the idea of the legal state is marked by two stages which in a way present the universal tendencies of its development. These are the phases of a liberal "offensive" concept and the "defensive" conservative concept of the legal state.

The first stage in the development of the legal state appeared at the turn of the 18th and 19th centuries as a philosophical, legal and political demand for establishing a civil society, as opposed to the governing system of absolute monarchy. This implied the provision of all constitutive elements of the concept of 'civil society', such as the liberty of an individual in all spheres, free competition, abolition of old privileges of the noblemen[4].

According to Huber, the establishment of the liberal 'civil' legal state resulted in laying the fundamental state and legal principle related to protecting the values of a new society: the man's life, freedom, and property[5]. It was the outcome of social revolutions, such as the political one in France in 1789, and political reforms, such as the one in Germany in 1806.

New philosophy of the industrial era and departure from rationalistic and idealistic orientations towards positivism and naturalism in mid-19th century, emphasized by first social clashes between classes, resulted in the appearance of new theories about the state. A liberal concept of the state, advocated by Hobbes, Spinoza, Locke, Kant, Rousseau and Hegel, according to which it

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[3] For more detail on the topic of legal state and the state founded on the rule of law see: *F. A. Hajek,* ***Politički ideal vladavine prava,*** Zagreb 1994***; K. Čavoški, Pravo kao umeće slobode***, Beograd 1994; *M. Lj. Petrović,* ***Pravna država****, Ideje* br. 6, 1979; *S. Popović,* ***O pravnoj državi neka razmišljanja***, Beograd, Draganić, 1995; *E. Šarčević,* ***Pojam pravne države – ka razumevanju pravne države****, Arhiv za pravne i društvene nauke* br. 4/1989.

[4] Ernest Rudolf Huber, ***Rechtstaat und Socialstaat in der modernen industriegesellshaft***, Oldenburg, p. 7.

[5] *Vlado Kambovski,* ***Pristup problemu uspostavljanja pravne države***, Belgrade, 1991, p. 15.

presented the negation of the society's 'natural state', determined by individuals' rights and freedoms, was explored anew in the light of newly accepted collectivistic idea of superiority of a nation and state and denying the 'natural state' of society.

Further development of the idea of the legal state brought about new phenomena, including interventions of the state in economy and other spheres of social life, as well as authoritarianism of the state authorities. The concept of a 'social state', attributed to Stein (in 1842) appears as a synthesis of all these tendencies. Increasing social and class-related conflicts are confronted by pacifist and solidarity-promoting understanding of state and law, accompanied by principles of arbitrariness and purpose. The social state attempts to promote general well-being as a goal and to overcome social and class conflicts through social integration, concisely outlined in the phrase that the state protects the society.

Weakening of the principle of legality, negation of human rights and democratic values, especially by extremism of totalitarian ideologies and fascist theories about the state and law in the 20th century encouraged a return to the idea of legal state as a means of saving contemporary society and its humanistic and democratic goals. The existing fear of totalitarian experiences induced by Hitler's or Stalin's ideologies was additionally intensified by a new fear, that the state may show a tendency to occupy all social activities and exert control by suppressing attempts at free individual creativity. It was this point in time that presented the turn of the tide and where the second, 'defensive' phase in the development of the legal state idea began.[6]

A synthesis of these contradictory tendencies is the theory of social legal state which combines the aspect of protecting the society from the state (the liberal aspect of the legal state concept) and that of protecting the society by means of the state (as an essential principle of the purpose of state and law). Combining these aspects has been a civilized way of overcoming class conflicts in the society, resolving them through reforms and in a civilized manner, transforming the class conflict into a social dialogue, and encouraging the opposed social classes within the state to abandon the positions of continuous conflict and engage in social partnership.[7]

Objections of both formal and essential nature can be raised against the legal state. They would not question only the justification of such a state, but also the very logics of its foundations. One of the formal objections arises from the

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[6] *V. Kambovski,* ***Pravna država, kriminalna politika i ljudske slobode i prava****, Informacije* 1989/34, p. 5.

[7] Huber, op.cit., p. 16.

man's imperfection and concerns the discrepancy between the proclaimed general law abidance and the law abidance of the sovereign. This issue was resolved by G. Jelinek and his theory of the sovereign's self-binding. According to him, the sovereign, by creating laws binds himself, and is therefore subject to the law.[8] This explanation, however, does not seem convincing enough because the sovereign's self-binding is not truly legal binding. Otherwise, the sovereign would not be a sovereign any longer. Another important objection to the legal state concerns its contents. Namely, the legal state has no permanent contents. Various attempts at determining its permanent contents ended up in failure, since historical and legal experience includes in equal measures a liberal and fascist legal state, bureaucratic legal states and democracies, like contemporary developed countries.

These objections, related to either the formal issues or those of contents, indicate that the legal state is a contradictory concept and creation. The legal state, even when it is democratic one, today presents more of a "desired state of affairs" than a "reality which lasts or perhaps the ultimate purpose of social development".[9]

Since the legal state faces new, modern challenges that it cannot adequately deal with, we are led to conclusion that the legal state in the purity of its principles belongs rather to the realm of values than that of the real world. The above-mentioned challenge of positive law can be accompanied by at least another one, concerning the excess of norms, which, in the long run, turns a democratic state to an inefficient and bureaucratic one. Production of regulations in such a state may not be accidental and can be related to challenges concerning programmes and ideologies that in cases of social emergencies may lead to the 'rule of fear' which brings about 'tyranny.'

Facing these new challenges, the theory of legal state is once again perceived as problematic and relative. However, this does not imply that the concept should be abandoned, since the legal state has played a major role in remodeling collective awareness. It has contributed to popularity and legal definition of the society's topmost values, such as liberty, security and justice.

In fact, the legal state implies that it is ruled by law and not by force, and that everyone behaves in keeping with the law in terms of duty, so that everyone is equal before the law and the law equally applies to equal cases.

The implementation of law appears as an important part, and not only an indicator, of the functioning of law and the legal order. The issue of law enforcement as a prominent role of the state is very complex since it reflects the

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[8] *G. Jelinek,* ***Upravno pravo***, vol. I, Belgrade, 1940. p. 79.
[9] *B. S. Marković,* ***Načela demokratije***, Belgrade, 1937, p. 10.

hierarchy of state organs and their acts. In order to insure the functioning of the legal order, all of its elements must be harmonized and organized according to strict rules into a unique system.

The legal order not only can but must be unique in order to perform its tasks. This is even more so because the complexity of legal order is additionally intensified by the existence of international law, which strongly influences legal orders of states. That is why the concept of law must always include both the law of the given state and international law. All these rules coexist and are binding for their subjects. Relationships between states and the international community determine the relations between their respective legal orders. This was facilitated by major changes concerning the subject and contents of international law provisions. They are no longer related only to questions of war and peace, but increasingly govern everyday issues (trade, transportation, human rights and freedoms, custom duties, crime combating, police cooperation, etc.) which used to be within the exclusive jurisdiction of states. This brings the question of implementation of international legal provisions within the legal order of each state on the agenda.

The implementation of international law within the internal legal order is not just fashionable; it reflects increasingly growing and more comprehensive participation in the life of international community, in its political and economic activities, as well as scientific, technological, social and cultural ones. This participation in the world trends call for harmonization and, where necessary, modification of outdated and inadequate legislation even to such an extent to influence in-depth changes of constitutional systems[10].

The integration of society in the international community leads to an increasing number of instances of unified solutions to the problems of common interest on the level of international law, most frequently aimed at preserving and promoting general human values. These values by all means include combating crime (organized in particular) which knows no borders. That makes the role of international law in the national systems of justice more and more prominent. International law becomes the guarantee of legal security. The growing interdependence leads to the acceptance of only those legal solutions which enable international cooperation. Time changes and our need for legal security is reborn, but now we see it in the unity of international and national legal order, with all possible consequences. These consequences can be foreseen and truly accepted only by those who understand the legal state. Practically, problems arise not from differences of opinion, but from allegedly accepting the rule of law and linking it to purely political elements, such as democracy, free elec-

[10] *M. Šahović,* ***Ustav i međunarodni odnosi***, Belgrade, 1990, p. 343.

tions, human rights and freedoms, etc. A state may have these features, but it will not be regarded as legal, i. e. based on the rule of law, unless its laws are observed and enforced.

Europe, which we strive to belong to, demands respect of law. It is presumed that laws should be passed in a democratic way and therefore there can be no excuses for possible failures to enforce them.

Principles of the constitutional order and lawfulness within a legal state impose the implementation of law. Certainly, this by no means implies that the law should be eternal and unchanged, but until conditions for its modification arise and until such the need for such a modification takes its legal course and proceedings, the effective law is to be observed. There should be no instances of laws which are effective, but not enforced in a legal state. The existing law that is not enforced ceases to be law and becomes it opposite. Besides, laws are passed to be enforced: *leges non verbis, sed rebus sunt impositae*.

There are various causes of non-enforcement and selective non-objective enforcement of laws. Most frequently, these concern flaws in the quality and quantity of law, but some also result from legal norms that are inappropriate in the given social setting. The said flaws in the quality and quantity of law which lead to non-enforcement or non-objective enforcement inevitably lead to hampering the principles of constitutionality and lawfulness which, in turn, leads to legal insecurity of all subjects that the law concerns.

Every legal system comprises two processes: the process of creation and the process of implementation. Both of these processes can hamper the principles of lawfulness and constitutionality.

Violation of these principles in the process of creating law should primarily lead to reactions on the part of judicial practice, especially the practice of constitutional courts, which are obliged to neutralize flaws of general acts.

Violations of the principles of constitutionality and lawfulness in the process of law implementation can be manifested in a number of ways – starting from insufficient qualifications of the subjects involved in the implementation and their license, to deeper, both subjective and objective causes, which stem from the very structure of the legal system and possible lack of systematic integration of judicial and social institutions. It is therefore vital, when defining the concept of the legal state, to delineate the area of social tolerance with respect to the principle of legality. When the limits of this area are violated, the legal state loses its legality. Hence it is of utmost importance to define criteria for recognizing such a state of affairs and they can be determined only by means of objective scientific methods, in a process of scientific study of relevant facts.

If we bear in mind that a crisis of a legal system is the opposite of the legal state, then all the elements of such a crisis are the opposites of the legal state's

properties, since the legal state exists when it ensures the rule of the legality principle within its legal system and in such a measure that its implementation falls between the bounds of social tolerance. Therefore a legal state and a crisis of the legal system cannot exist at the same time within one legal and state community. It should, however, be pointed out that neither of these social phenomena are "static" or "turned to stone" and that transformations from one property to another are not only possible, but also realistic and topical in the contemporary world.

When the crisis of the legal system is overcome by eliminating its causes and when the system starts to recover through creation of essential social prerequisites for better quality law enforcement, which will not be arbitrary and which will not lead endangering the constitutional order and lawfulness and legal insecurity, then it will not be difficult to find the way back to the legal state.

## 3. Enforcement of internal affairs laws in the function of combating crime

Speaking about law enforcement in the sphere of internal affairs, it should be emphasized that the internal affairs legislation presents an arranged system of legal norms that govern an important category of administrative activities performed by the Ministry of the Interior.[11] These are numerous and only a few of the most important ones will be mentioned:

Protection of life, personal security of citizens and their property;

Prevention and detection of criminal acts and tracking down and arresting perpetrators of criminal offences and ensuring their appearance before organs in charge;

Maintaining public order and peace;

Security of state border and control of border crossing and migrations and stay in border areas; and

Residence of foreigners, and other tasks envisaged by the Law on Ministries.

Almost all of the listed tasks were legally defined by relevant laws and accompanying bylaws based on them. It is of vital importance for the state that such a legally arranged system, which constitutes the law of internal affairs, is implemented in real life, because the enforcement of such law enables the state to ensure the safety of human lives, personal security and security of property, prevents and detects criminal offences and their perpetrators, maintains public

[11] *D. Vasiljević,* ***Upravno pravo (poseban deo) oblast unutrašnjih poslova****, VŠUP*, Belgrade, 2005, p. 40.

order and performs other security tasks. It should be pointed out that one of the main functions of organs that constitute the system of state administration, including police as its integral part, is to enforce laws and other regulations and general acts, i.e. to make sure they are implemented. To that effect, in order to perform this significant function, police have power to pass normative acts, administrative acts and administrative actions and measures in order to enforce internal affairs law.

Observing the principle of legality in the work of police actually means that they must pass the said acts and perform administrative actions and measures in keeping with respective legislation it is to enforce.

The normative acts that the police pass include regulations books, orders and instructions. These are all bylaws, which means that they cannot possibly be contrary to laws, so the police when passing them have to take care that these acts cannot impose obligations and rights for the citizens and other subjects that are not based on the law or vest the police with new powers that the statue does not provide for. Otherwise, there would be a violation of the legality principle and the need would arise for such acts to be removed from the legal system in a legal way.

Similarly, in the course of law enforcement the police issue administrative acts in the forms of decisions, permits and licenses, which govern administrative affairs related to specific rights, obligations and legal interests of physical persons and other subjects and in keeping with the law.

Police are empowered to take a range of administrative actions and measures in the enforcement of law in the internal affairs. The instances of this are numerous (establishing the identity, searching persons and premises, mandatory fines for certain offences, public registers, issuing of documents, detention).

It is important to stress that one of the main characteristics of administrative actions is that they are based on law. Here we can speak of their essential and formal lawfulness.[12]

The essential lawfulness of administrative actions has three main components. The first one is related to the fact that there must be legal prerequisites for their implementation. Namely, regulations strictly envisage the situations in which a certain administrative activity can or must be performed (e.g. the use of firearms). The second component is related to the very structure of the administrative measures. In other words, it determines when there are legal prerequisites for a specific administrative action and what activities exactly it comprises. The third one ensures that the application of a specific administrative measure must serve the specific legal purpose. Otherwise, misuse (or abuse) of power occurs with respect to the said administrative action (e.g. ill treatment of citizens, exerting illegal pressure, threatening or blackmailing, and the like).

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[12]See, *Z. Tomić,* ***Upravno pravo****, Draganić,* Belgrade, 1995, p. 235.

Formal lawfulness of administrative actions has two components. The first one concerns clear and precise legal jurisdiction for performing every single administrative action. The other concerns the lawfulness of performing administrative activities and the course of their performance, including the means involved.

It should be pointed out that failure to observe any of the said components of their legality brings about legal irregularities in the administrative action. Unlawfulness of administrative actions often appears to be a consequence of unlawful legal acts upon which they are based. Because of this, the control of lawfulness of legal acts, especially those that have been performed, means at the same time the control of lawfulness of administrative actions performed on the basis of them. Similarly, the causes of unlawfulness of administrative actions should be detected in their complexity, but also in their being performed before passing the individual legal act. Certainly, a purely subjective moment must not be overlooked in this context, and that is improper qualification of the officers in charge and their susceptibility to temptation to abuse the power they are entrusted with.

The issue of law enforcement generally, as well as in the sphere of internal affairs, gains additional significance if we bear in mind that the quality of constitutional and legal rights and freedoms, the level to which they are observed and granted, will depend on this enforcement. This issue influences all three levels of police activities in the implementation of law in internal affairs: the passing of normative acts, the passing of administrative acts and the performance of administrative actions and measures.

It is therefore of utmost importance that the police should respect the principle of lawfulness when enforcing the internal affairs laws. The respect for this principle is an imperative for every democratic society which truly strives to ensure freedoms and rights of all citizens granted by the constitution. It is certainly justified to insist that human rights and freedoms of citizens should be strictly observed, but, on the other hand, a question arises whether this narrows the scope of police actions in combating crime. This again proves the fact that there are no ideal situations. Obviously, among the citizens whose freedoms and rights are guaranteed in the contemporary society without exceptions, and in accordance with the principle of equality, there are those who are inclined to commit crime and against whose illegal actions the police is supposed to protect other members of the society and certain social interests.

We can here conclude that the issue of degree to which the police observe human rights and freedoms, as well as a number of other important social issues, must be considered in their complex reality. Such an approach, in this specific case, would mean that the crucial issue of the use of police in a democratic

society would be the issue of balance between its exemplary legality and legitimate strictness in crime combating and maintenance of public order, on the one hand, and consistent observation of civil rights and freedoms, on the other. The balance means that this ratio is not always perfect and that it depends on a society's choice between two evils, that is, between the minimal interference of police with civil rights and freedoms and the danger that unrest and crime present for the entire society.

## 4. Conclusion

Through consistent enforcement of laws and bylaws that should contain legal norms harmonized with the achieved legal standards of the contemporary world, the police can be said to achieve the main goal of its activity, which includes suppressing crime, security of state and all its citizens, and upholding and protecting human rights and freedoms. This paper presents an attempt to emphasize the importance of creating an atmosphere and conditions of a legal state and true respect of the principle of lawfulness in both its formal and essential sense, in which the police will exercise their powers. Efforts within a society should be directed towards creating an environment of the legal state and the rule of law wherein the principle of lawfulness will be truly meaningful[13].

In order to make the combat against crime (especially organized crime) more successful and to make the police powers more efficient in enforcing the laws related to internal affairs, it is necessary to continue further cooperation of our police with international police organizations, as well as to develop closer cooperation with foreign police agencies in as many fields as possible (scientific meetings, exchange of information, study visits, etc.).

Regardless of the obvious results achieved by the police in combating crime, increasingly deteriorating conditions in which they perform their tasks suggest that problems related to crime suppression cannot, in the long run, be dealt with adequately by enhancing human resources, technical equipment and similar steps. The efficiency of police work in this field will depend, primarily, and more than ever, on the creation of an environment of the legal state in which the police will perform their mission. This is the big challenge that lays ahead of us and it calls for huge efforts.

The role of police in the world of today is clear. They are expected to prevent crime, protect the security of state and its citizens. There are justifiable expectations that the police should detect and suppress every phenomenon which

[13] For more detail see, *M. Živković,* ***Vladavina prava i suzbijanje kriminaliteta****, Pravni život,* no. 14/2007, p. 645-658.

jeopardizes these values. By protecting these values, they at the same time protect human rights and freedoms of all citizens. In order to achieve the defined goals, they are endowed with powers that they must exercise both efficiently and lawfully. Matters become even more complicated if new manifestations of crime are taken into account (organized crime, etc.). This demands that the society reconsiders the existing legal powers of police and other state organs with a view to their extension, so as to ensure that the struggle against crime is successful. But there should be measure in all this. It would be very wrong if the police thought that they were the only institution which should and can solve all social problems. They can certainly contribute to resolving these problems working together with other institutions. However, police work must take place within the bounds of existing laws, both national and international.

The legal state is only such a state in which all subjects, both citizens and state organs, respect the law always and on all occasions. If law is to be a guarantee of peace and security, then the state must guarantee the enforcement of law, both national and international, whose role is increasingly important in the more and more integrated international community. Law can be properly implemented only in the legal state. At least, this is a demand imposed on us by Europe, to which we believe we belong in all respects, including the legal one.

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## PRILOG PITANJU PRIMENE PRAVA U PRAVNOJ DRŽAVI U FUNKCIJI SUZBIJANJA KRIMINALA

### Rezime

Rad na temu "Prilog pitanju primene prava u pravnoj državi u funkciji suzbijanja kriminala" je uvek aktuelan. Bez obzira na činjenicu što se pitanju pravne države, pitanju primene prava i pitanju borbe protiv kriminala mogu posvetiti tekstovi ranga monografija, doktorskih i magistarskih teza, ovaj rad nema takvu pretenziju, već ima za cilj da čitaocu u načelnom smislu približi ova pitanja i dovede ih u međusobni sklad i vezu.

Suština pravna države ogleda se u potrebi da pravo u njoj predstavlja izraz zajedničkog htenja i da se kao takvo primenjuje na sve pripadnike bez ikakve razlike. Pošto oba ova zahteva nije moguće do kraja ostvariti u bukvalnom smislu, javlja se potreba da se odredi područje društvene tolerancije u okviru kojeg će biti moguća odstupanja, a da to ne ugrozi suštinu pravne države.

Za državu je izuzetno važno da se pravno uređen sistem, koji čini i pravo unutrašnjih poslova, primenjuje u realnom životu. Jer primenom ovog prava od strane policije, država obezbeđuje zaštitu života, lične i imovinske sigurnosti građana, sprečava i otkriva krivična dela i njihove izvršioce, održava javni red i mir i vrši druge poslove bezbednosti.

Efikasnost rada policije na planu borbe protiv svih oblika kriminala (posebno organizovanog) zavisiće od stvaranja ambijenta pravne države u kojoj će policija vršiti svoju misiju.

### Summary

The paper entitled *Contribution to Issues Regarding Law Enforcement in a Legal State Aimed at Crime Suppression* is always topical. Since the issues of the legal state, law enforcement, and those of combating crime can be subjects of more extensive considerations in the forms of monographs, doctoral or mas-

ter theses, the intention of this paper is to present these issues to the public and explain their interrelations.

The essence of the legal state is reflected in the need that its laws stem from common will and that they equally apply to all members of such a community. Since these two requirements cannot be fully met, there is the need to define the area of social tolerance within which departures will be possible without jeopardizing the essential principles of the legal state.

It is of vital importance for the state that the legally arranged system which constitutes law of internal affairs should be fully implemented in real life. Enforcement of this law on the part of police presents the means by which the state guarantees protection of lives, personal security and property, prevents and detects criminal acts and tracks down their perpetrators, maintains public order and performs other security tasks.

The efficiency of police work in the sphere of suppressing all manifestations of crime (especially organized crime) will depend on creating an environment of the legal state in which the police will perform their mission.