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PROVISION OF RIGHTS AND FREEDOMS OF CITIZENS BY THE INTERNAL AFFAIRS AUTHORITIES IN CASE OF THE USE OF MEASURES OF ADMINISTRATIVE COMPULSION

The inalienable constituent of law-enforcement activity is a legal compulsion as a method of state administration of the society. Exactly development of law and order in society guarantees the real and complete provision of rights and freedoms of man and the citizen. The inalienable constituent of state mechanism of providing realization of these functions is the activity of internal affairs authorities, functioning of which should comply with social, political and legal standards which exist in the society and state.

One of important directions of government activity of sovereign and independent Ukraine is law-enforcement activity, directed on the provision of principle of supremacy of right in our society. The tasks of law-enforcement activity consist in protection of social system declared in the Constitution of Ukraine, economic and political systems, rights and legal interests of citizens, enterprises, establishments, organizations, subjects of all proprietary forms, economic and territorial integrity of Ukraine.

A fight against criminality and claim of law and order are considered as an extraordinarily actual national task of crucial political importance, major component part of multilevel activity of public authorities, and above all – internal affairs authorities.

A state compulsion is an extreme measure which is used as objectively necessary one. Its realization influences formation of the psychical mode of citizens, their world view, assists in formation of habits, lawful behavior.

A compulsion indeed takes place wherein one authorized subject by its actions overcomes will of another subject, subordinates it to requirements of law. This means that a necessary condition for determination of a certain measure as a compulsion is a presence of certain counteraction, resistance from the subject, which a compulsion is applied to.

One of types of state compulsion is an administrative one which occupies a considerable place in the arsenal of the means of compulsion. The analysis of practical activity of militia testifies that this means is used by its workers widely enough, and in a number of cases it is the only mean of arrangement of public relations, solution of conflict situations. In connection with the stated information, activity of militia in relation to application of measures of compulsion has an important value and that is why needs permanent perfection and increase of its efficiency.