

Martynenko V.O. State of research issues to prevent abuse of power or position in domestic science. The state of research of the problem of preventing abuse of power or official position in the national science is established. It is proved that today there are no criminological researches of the mentioned problem, the main attention is devoted exclusively to the problems of material criminal law.

In particular, it was stated that one of the guarantees of the successful functioning of the state and civil society is the creation of appropriate conditions for the effective functioning of the state apparatus, the apparatus of local self-government and enterprises, institutions and organizations, regardless of the form of ownership. The effectiveness of such activities in Ukraine at the present stage is greatly reduced by the impact of negative political, economic, legal and other changes, as well as a high level of crime. A significant link among these factors is the abuse of authority by the authorities or office. Thus, according to official data of the State Judicial Administration of Ukraine, during 2013-2017, for the commission of an offense under Art. 364 of the Criminal Code of Ukraine, 518 people were convicted, of which almost 70% are civil servants. Taking into account the overriding importance of minimizing such dangerous manifestations on the part of persons authorized to perform functions of the state or bodies of local self-government, the development of new approaches to preventing the abuse of state officials by the authorities or office they consider is an urgent and timely task for both academics and law enforcers .

The emphasis is placed on the fact that abuse of power or official position remains a guilty act representing a significant danger to society, regardless of the recognition of it as such a law. It is necessary to study the basic patterns of abuse of power or official position, to analyze the current determinants of their commission, to identify new features of the perpetrator's personality, and to develop a qualitatively new and effective system of measures to prevent these crimes, even if they are not recognized by such a valid Criminal Code of Ukraine.

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