

Challenges to the Education in the Law Enforcement Sector of Ukraine¹

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This article presents a number of the most common challenges to the education process in the law enforcement sector of Ukraine. Apart from the obvious reason such as war, which resulted in the loss of educational premises, forced displacement of the universities as well as the loss of personnel and students, English language teachers are facing the unprecedented loss of motivation in police cadets to learn foreign languages due to the provisions of the legislation of Ukraine in force, in particular, the engagement of translators/interpreters in the criminal proceedings at the pre-trial investigation stage. In spite of the reformation process in the educational sector connected with and based on NATO standards introduced in the teaching and learning processes, it is not always feasible to prove the students the obligatory nature of learning English or other foreign languages. Thus, foreign language teachers must overcome not only lack of motivation in students, but also implement higher standards of teaching in the educational process, which is not smooth either.

Keywords: English language, NATO standards, police education, EUAM, National Police of Ukraine

I. Introduction

Due to the new cooperation perspectives of Ukraine in the global community and integration into the international systems of counteraction in the law enforcement area, national higher educational police institutions undergo the process of urgent reforms. It is connected not only with the format of teaching and the obligatory content of the educational process, but also with intensive learning of the English language as an instrument of international communication, including professional sphere. The Ministry of Defense of Ukraine has already implemented particular NATO standards in its educational sector³ and currently the Ministry of Internal Affairs undergoes their implementation process as well.

II. Method

The Road Map for Enhancement of Learning Foreign Languages in the Armed Forces of Ukraine in 2021-2025 describes the strategic goal of learning foreign languages by the personnel of the Armed Forces at the CMP 2 (Level-2) *Functional* level under STANAG 6001 NATO standard according to G1200 *Language Requirements* goal of Ukraine-NATO cooperation.⁴

The Government Decree No 1490 as of December 30, 2022 has amended the Decree No 1410 *On the Implementation of Common System of Military Education*, in particular in terms of learning foreign languages. It requires achievement of the relevant level of foreign languages knowledge by the personnel of the defense forces to implement NATO standards and policies

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³ *The Road Map for Enhancement of Learning Foreign Languages in the Armed Forces of Ukraine in 2021-2025* as of March 1, 2021.

⁴ *Ibid.*

in the operation of all branches of the military administration and efficient participation in the events connected with international defense cooperation, international peace and order provision operations as well as education abroad.⁵

Since higher educational institutions (HEIs) of the Ministry of Internal Affairs (MIA) of Ukraine are included in the military sector, the new provision fully relates to them as well. It is worth mentioning that two HEIs of the MIA of Ukraine – (i) Academy of the National Guard of Ukraine (website <https://nangu.edu.ua/>) and (ii) Kyiv Institute of the National Guard of Ukraine (website <https://kingu.edu.ua/>) – are included in the military defense sector and have been already engaged in the implementation of the above mentioned Road Map. Moreover, Academy of the National Guard of Ukraine trains specialists in 035 *Filology*, including professional translators and interpreters for military sector. Thus, the Road Map for the Armed Forces can be applied to the law enforcement and police HEIs with relevant amendments. Actually the amending of the basic Road Map is currently performed by our police universities, namely

1. Dnipropetrovsk State University of Internal Affairs (website <https://dduvs.in.ua/en/>)
2. Kharkiv National University of Internal Affairs (website <https://univd.edu.ua/en/>)
3. National Academy of Internal Affairs (website <https://www.naiiu.kiev.ua/en/>)
4. Odesa State University of Internal Affairs (website <https://oduvs.edu.ua/home/>)
5. Lviv State University of Internal Affairs (website <https://www.lvduvs.edu.ua/en/>)
6. Donetsk State University of Internal Affairs (website <https://dnuvs.ukr.education/about-us>)

But why do we need to undergo this hard and difficult process?

Ukrainian police forces, in particular, cyber police and organized crime combat units, are engaged in the international cooperation through Europol and INTERPOL agencies, which requires working under international and European standards as well as be able to communicate with colleagues from abroad most often in English using professional language, which consequently requires good command in English through its intensive learning during studies and advancing one's level while performing the duties.

Moreover, numerous NATO instructors have been working with the representatives of military and Special Forces of Ukraine for years, including special advisory missions, like European Union Advisory Mission (EUAM) Ukraine, which has organized complex trainings for the National Police, Rapid Operational Response Unit (KORD) and the National Guard of Ukraine in terms of providing public order under mass meetings and riots. However, the EUAM works with internally or externally engaged interpreters, while NATO accepts only English speaking individuals for its trainings.

Thus, the current task of law enforcement educational institutions among others is to make police officers communicate with and understand their foreign colleagues through learning English for law enforcement, which becomes a challenge due to numerous problems arising.

III. Results and discussion

Results are presented in three different sections: 1. Disrupted educational process; 2. Loss of personnel and students; and 3. Loss of motivation in students.

A Disrupted educational process – war in Ukraine affects the studies

It is well known that war in Ukraine began back in 2014. But then only two regions suffered from war hostilities apart from fully occupied Crimea – Donetsk and Luhansk regions.

⁵ Decree No 1490 as of December 30, 2022 *On the Amendments to the Decree of the Cabinet of Ministers of Ukraine No 1410 as of December 15, 1997* (Source <https://ips.ligazakon.net/document/kp221490?an=1>)

Traditionally Donetsk State University of Internal Affairs (Donetsk Law University that time) was situated in Donetsk city, while Luhansk State University of Internal Affairs named after EO Didorenko (it became the structural subdivision of Donetsk State University of Internal Affairs at the beginning of 2023 and was transformed in its Institute) was based in Luhansk city correspondingly. When the war began, Donetsk University moved to Mariupol and Luhansk University moved to Severodonetsk. However, they continued working hard and efficiently, and European Union Advisory Mission (EUAM) Ukraine even opened their regional office in Mariupol to help the displaced educational institution to continue providing high quality training for its cadets.

However, the large-scale invasion of Russian Federation on February 24, 2022 affected significantly the functioning of each and every MIA university in this or that way.

For example, both already mentioned universities were displaced for the second time. Donetsk State University was dispersed between three cities – Kryvyi Rih, Kropyvnytskyi and Zaporizhzhia, while Luhansk State University moved to Dnipro and was hosted by Dnipropetrovsk State University of Internal Affairs and then traveled to Ivano-Frankivsk. Currently being the one unified HEI the affiliates try to keep the university structure and continue the educational process. However, the EUAM has been assisting Donetsk University substantially by conducting open lectures for cadets, English professional literature and equipment required for practical classes in criminalistics in particular. Moreover, it very actively participates in international educational and scientific projects as a displaced HEI.

Premises of Kharkiv National University of Internal Affairs have been destroyed and in some cases even vanished completely after massive bombardings of Kharkiv city. The university tried to work as long as it was possible in the native city, but gradually it was also dispersed between several cities all over Ukraine. International activity and educational process were brutally interrupted due to the imbalanced functioning of the HEI. Currently they have found the opportunity to establish smooth educational process and scientific activity, but the temporary nature of their placement and destroyed infrastructure will drastically affect the entire operation of this educational institution.

National Academy of Internal Affairs residing in Kyiv also faced the destruction of university premises. However, they did not evacuate their personnel and cadets to other cities having invested all their efforts in volunteering. Anyway, they have managed to finish previous academic year online with many innovations introduced into the educational process.

Odesa State University of Internal Affairs continued functioning and stayed in Odesa, which was also heavily attacked with missiles by Russian fleet. Despite the danger cadets and teachers of the university participated in patrolling the city apart from studies, which has contributed a lot in practical performance of police duties in real situations. Odesa University was also supported by the EUAM mainly through open online and offline lectures for cadets.

Lviv State University of Internal Affairs situated in the western part of Ukraine in Lviv continued working having introduced close cooperation with the EUAM representatives, in particular Gediminas Bučiūnas, EUAM's Senior Adviser on Prosecution.

Finally, Dnipropetrovsk State University of Internal Affairs kept on operating actively almost without changes and avoided destructions of its infrastructure. The 2022-2023 academic year began offline and the educational process included simulation of actual war crimes through training future police officers correctly documenting results of the hostilities and, the most important, to work with forensic DNA analysis equipment in a modern criminalistics laboratory.

B Loss of personnel and students

(i) Loss of qualified personnel

The Decree of the President of Ukraine No. 259/2022 as of April 18, 2022 approved by the Law of Ukraine No. 2102-IX as of February 21, 2022 introduced martial law starting from 5:30 a.m. on February 24, 2022.⁶ Within the first days of the large-scale invasion female police staff received an opportunity to leave the country without any further consequences for them as the employees of the law enforcement sector. It is obvious that civilians did not have any obstacles for leaving the country and seeking for shelter in any other country of the world. Since the educational process interrupted by full-scale war in February continued in March online, teachers could hold classes from any part of Ukraine or literally any place on the planet.

However, according to the internal Decision of the Ministry of Internal Affairs of Ukraine to start new academic year 2022-2023 on June 1, 2022 online and continue the educational process offline starting from July 1, 2022, educational staff members must have returned back in Ukraine despite of their status – a civilian or a police officer. Those who had doubts as for the entire staying in Ukraine used their annual vacation period having taken a pause in their cooperation with HEIs. But due to the firm order to return back in Ukraine and continue working offline from September 1, 2022 with further firing of those staff members, who would refuse of returning back, many teachers (mainly civilians) terminated their cooperation with the universities, having found new working places at the universities abroad. Moreover, within 2022-2023 academic year not only teachers, but also administrative and scientific staff members have left their positions and changed their comfortable cabinets to service in police units. Thus, experienced practitioners have been also lost. In addition, a number of teachers, lecturers and police professionals joined the Armed Forces of Ukraine, units of the National Guard and Special Forces Units of the National Police to defend the country. In the result, currently MIA HEIs suffer from the lack of professionals in their teams.

(ii) Loss of police cadets and students

This point is the biggest tragedy. First wave of losses was the reason of heavy bombings of cities, towns and villages of Ukraine. Unfortunately, some students have been simply killed in those missile attacks. There were also cases when police cadets decided to join Armed Forces or other military units to defend their Motherland instead. When the beginning of offline education was announced and cadets must have returned to their universities, some of them failed to leave the temporarily occupied territories due to the threat to their lives and were dis-enrolled in the result.

If to speak about civil students, they have taken an opportunity and massively left the country having escaped to other states all over the world seeking for shelter. We are deeply grateful to all the countries for their initiative to provide Ukrainian students with the opportunity to finish their interrupted education in home universities of hosting countries with the scholarships to support Ukrainian youth found themselves far from home. Many students continued studying online at our university in particular, but those who found broader opportunities left the university having stopped paying for their education, and that outflow of funds was so substantial that the financial situation led to reduction in payments to civil teachers and subsequent loss of personnel in the result.

C Loss of motivation

Learning English language is obligatory for all students in Ukraine despite of the specialty and field of study. However, if to speak about training future police officers the most obvious challenge is extremely low chances to use English in their entire career.

⁶ Decree of the President of Ukraine No. 259/2022 as of April 18, 2022.

Art. 9 of the Law of Ukraine *On Functioning of Ukrainian Language as an Official One*⁷ defines persons who shall be proficient at Ukrainian language and use it during the performance of their duties, in particular:

1. middle and top managers of the National Police, other law enforcement and intelligence bodies;
2. privates, sergeants and senior staff of the National Police, other law enforcement and intelligence bodies;
3. prosecutors;
4. judges elected or assigned in accordance with the Constitution of Ukraine and perform judgment on professional grounds;
5. lawyers;
6. notaries.

Provisions of Art. 10 part 1 of the Constitution of Ukraine⁸ stipulate that the official language in Ukraine is Ukrainian language and is an obligatory means of communication at the whole territory of Ukraine at performing duties by state power bodies and self-government bodies (acts, work, administration, documentation) as well as in other public areas stipulated by Art. 10 part 5 of the Constitution of Ukraine.

According to Art. 26 of the Code of Ukraine *On Administrative Violations*⁹ police officers shall communicate with citizens of Ukraine and foreign citizens, who are not proficient at the state language, in Ukrainian or the language they are proficient at.

In accordance with Art. 29 *Language of the Criminal Proceedings* of the Criminal Procedure Code of Ukraine¹⁰ criminal proceedings shall be performed in Ukrainian language. Prosecution, investigative judges and court write procedural documents in Ukrainian. Investigative judges, prosecutors or court provide the participants of the criminal proceedings non-proficient at Ukrainian the right to witness, claim and give testimony in another language they are proficient at engaging a translator/interpreter in accordance with the provisions of the Code.

Art. 63 of the Code of Ukraine *On Criminal Procedure*¹¹ stipulates engagement of an interpreter for interrogation, witnessing, handing materials of pre-trial investigation, participation in court proceedings and other relevant procedural actions.

In accordance with Art. 68 of the Criminal Procedure Code of Ukraine *Translator / Interpreter*¹² parties to criminal proceedings, an investigative judge or court have the right to engage a translator/interpreter (a sign language interpreter) whether it is required to translate explanations, testimony or documents in terms of criminal proceedings.

Translator/Interpreter has the right to:

1. ask questions for clarification aiming at accurate translation;
2. make acquainted with protocols of procedural actions he/she participated in and make amendments;
3. get a reward for performed translation and recovering of expenses connected with the engagement in criminal proceedings;
4. claim for security provision in cases stipulated by law.

Translator/Interpreter shall:

1. arrive on call to an investigator, prosecutor, investigative judge or court;
2. declare self-recusal in case of circumstances stipulated by the Code;

⁷ Art. 9 of the Law of Ukraine *On Functioning of Ukrainian Language as an Official One*.

⁸ Art. 10 part 1 of the Constitution of Ukraine.

⁹ Art. 26 of the Code of Ukraine *On Administrative Violations*.

¹⁰ Art. 29 *Language of the Criminal Proceedings* of the Criminal Procedure Code of Ukraine.

¹¹ Art. 63 of the Code of Ukraine *On Criminal Procedure*.

¹² Art. 68 of the Criminal Procedure Code of Ukraine *Translator / Interpreter*.

3. perform complete and accurate translation and certify the correctness of translation with his/her signature;
4. not disclose information directly related to essence of the criminal proceedings and procedural actions performed during criminal proceedings, which a translator/interpreter has become aware of in connection with his/her duties, without permission of an investigator, prosecutor or court.

Basing on the laws of Ukraine on using Ukrainian language and engagement of a translator/interpreter it can be noted that police cadets who are not interested in learning English or other foreign languages can always justify their unwillingness with official sources, which clearly stipulate the engagement of a professional translator/interpreter in criminal proceedings at the stage of pre-trial investigation whether necessary.

Preventive activity police units have the lowest chances to meet a foreign violator during performing their duties, since they mainly work in the assigned community with local people. Criminal police units may be engaged in the investigation of criminal activity organized or conducted by foreigners at the territory of Ukraine, but based on the available experience those foreigners all speak Russian and understand Ukrainian even if they pretend not to understand a word. For such cases the law provides the National Police the right to engage an interpreter to build a dialogue with criminal(s).

Pre-trial investigation units have bigger chances to meet foreigners who violate rules, regulations or laws of Ukraine. However, even if they manage to communicate with a foreigner in Ukrainian, Russian or English, in any case documents of the proceedings and communication with a prosecutor requires engagement of a translator/interpreter in accordance with the legislation of Ukraine.

Strategic investigation units are more likely to be engaged in the international investigation process, since they sometimes work with Europol and INTERPOL. Previously each strategic investigations department had a position of a translator/interpreter. Mainly civilians occupied those positions, though police officers who knew foreign languages at a relevant level could work there or even receive higher salaries occupying any police position just due to their knowledge of a foreign language. It was really some kind of motivation for such police officers. Currently those members of the staff who know foreign languages are engaged in international investigations without extra payment or rewards. Thus, only those students who are interested in learning English due to their own will and personal interest are active at the English language lessons. Others either learn the required volume to pass an examination before graduation, or do not learn the language at all making no efforts to obtain at least the minimum knowledge.

To motivate students to learn English our teachers introduce numerous competitive and interactive tasks, use different platforms and bring many authentic materials to make the learning process more interesting and involving for cadets with any level of preparation. A separate element in the educational process is the engagement of foreign practitioners to deliver special lectures on professional topics or communicate with cadets in English discussing issues interesting for them.

The most active participation is seen from the European Union Advisory Mission (EUAM) Ukraine. Its trainers are highly experienced and competent specialists from the EU member countries, who have been taking an active part in training and educating representatives of the law enforcement sector of Ukraine starting from December of 2014 aiming at achieving *a civilian security sector that is efficient, accountable, and enjoys the trust of the public*.¹³ EUAM trainers have been engaged in numerous trainings and specific lectures for cadets as well within the years of their mission in Ukraine, but... they are accompanied by interpreters at every event

¹³ EUAM Ukraine official website <https://www.euam-ukraine.eu/>

or during any training to be able to communicate the essence of presented material for each and everyone despite of their English level.

However, we really see the interest in those cadets who obtain an opportunity to meet their foreign colleagues and to learn from their professional experience, communicate with them using all their knowledge from the English classes and what they appreciate especially is authentic accessories of foreign police units presented to them by visiting practitioners. Moreover, this is the sign that Ukrainian police force is noticeable for our European colleagues and thus we all feel their endless precious professional support, which we are in need now.

In addition, our partner universities from the European Union and within the Association of European Police Colleges (AEPC) conduct online and (which is much more important) offline educational thematic sessions open not only for practitioners, but also for police cadets, but only for those ones who are able to study and communicate with their peers and tutors in English. Such programs really boost interest in learning foreign languages in youngsters and create a type of competition among those who have relevant language competencies.

Thus, any contact with colleagues from abroad and necessity to use English as the only communication instrument proves the significance of learning foreign languages and helps profile teachers to engage more students in the learning process with receiving higher results.

IV. Conclusion

Since Ukraine is intended to be the active participant of the global community and due to the integration into the international systems of counteraction in the law enforcement area, national higher educational police institutions undergo the process of urgent reforms, including intensive learning of the English language as an obligatory instrument of international communication. Thus, the Ministry of Internal Affairs of Ukraine is currently implementing particular NATO standards in the educational process within the training of law enforcement staff, though the educational system of Ukraine has been facing significant challenges during the last 1.5 years, in particular disruption of the educational process as the result of the large-scale war, loss of experienced personnel and students/police cadets as well as loss of motivation in students to learn foreign languages, which is grounded on the legislation of Ukraine stipulating the necessity to engage a translator/interpreter during counteraction between foreign citizens and the National Police. In addition, cooperation with such international agencies as Europol and INTERPOL is currently not widely introduced for the biggest part of police subdivisions, while trainings for police officers conducted by international missions, such as European Union Advisory Mission (EUAM) Ukraine, are accompanied with professional translation.

However, international events organized for police cadets and already experienced practitioners, including professional lectures, webinars, trainings, educational courses and conferences, which provide an opportunity not only to advance their knowledge and skills, but also share their own experience with colleagues from abroad, substantially boost the motivation in students to learn foreign language of professional use to be able to communicate with their professional peers, establish contacts for further cooperation within the entire service and advance their professional qualification to be aware of international trends in crime investigation, crowd control, DNA sampling and sample analysis, extradition of criminals or violators wanted by INTERPOL/Europol and many other enhancements in every field of law enforcement sector.

V. References

Art. 9 of the Law of Ukraine *On Functioning of Ukrainian Language as an Official One*
Art. 10 part 1 of the Constitution of Ukraine

Art. 26 of the Code of Ukraine *On Administrative Violations*

Art. 29 *Language of the Criminal Proceedings* of the Criminal Procedure Code of Ukraine

Art. 63 of the Code of Ukraine *On Criminal Procedure*

Art. 68 of the Criminal Procedure Code of Ukraine *Translator / Interpreter*

Decree No 1490 as of December 30, 2022 *On the Amendments to the Decree of the Cabinet of Ministers of Ukraine No 1410 as of December 15, 1997* Source

<https://ips.ligazakon.net/document/kp221490?an=1>

Decree of the President of Ukraine No. 259/2022 as of April 18, 2022

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The Road Map for Enhancement of Learning Foreign Languages in the Armed Forces of Ukraine in 2021-2025 as of March 1, 2021