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Educational interdisciplinary professional project in the discipline “Office work and secrecy” and “English language”

Subject:Secrecy regime in the police department.

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annotation

In this project, I am exploring the basic requirements for ensuring the confidentiality of official information, the procedure for handling documents and information constituting state and official secrets. The measures of responsibility for violating the secrecy regime and the mechanisms for its implementation in practice are analyzed.

Particular attention is paid to improving the secrecy regime in modern conditions, including the use of technical means of information security and combating leaks of official data.

Key words: state secret, operational investigations, document flow, legislation, secrecy regime, secrecy regime, confidential information

INTRODUCTION

The issue of ensuring the security of state secrets has always been highly relevant - whether it is the encryption of correspondence from bygone eras or the use of modern cryptographic security measures, their goal always remains the same: preventing the leakage of confidential information.

State secrets are government-protected information about military, foreign policy, economic, intelligence, counterintelligence, and operational investigations. The dissemination of such information could cause serious damage to the security of the Russian Federation.

RelevanceThe topic of the study is that legal and organizational issues of protecting state secrets and fulfilling obligations to disclose state secrets are important and strategic for any country. The timeliness and reliability of protecting state secrets directly depends on the competence of specialists working in this field.

The goal of the project is to conduct a comprehensive analysis of criminal and legal documents establishing the categories of “state secrets”, “secrecy regime”, “trade secrets”, “personal data”.

Improving written professional translation skills in Russian-English mode

Project objectives:

1. Consider the history of the formation of confidential document flow in Russia.

2. Expand the concept: “state secret”, “secrecy regime”.

3. Give a classification of information constituting a state secret.

4. Characterize the objective signs of crimes in the sphere of protecting state secrets, the features of obtaining access to state secrets.

5. Analyze the subjective characteristics of crimes in the sphere of protecting state secrets.

6. Consider the development of legislation in the field of trade secrets.

7. Study aspects of protection and responsibility for personal data

Problem: excessive confidentiality can lead to isolation of employees, increased bureaucracy and mistrust in the team

Hypothesis: Ystrengthening the secrecy regime in internal affairs bodies increases the efficiency of operational work by reducing information leaks, but may negatively affect public trust due to a lack of transparency in the actions of the internal affairs bodies.

1. The concept of confidentiality, secrecy, secrecy.

1.1 The concept and types of state secrets, the purposes of information protection.

State secret is information protected by the state in the field of its military, economic, political, intelligence, counterintelligence and operational investigative activities, the dissemination of which could harm the state. For any country, it is very important to ensure the safety of secret data, the disclosure of which could cause significant harm. This is a matter of national importance, the implementation of which contributes to the strengthening of law and order. If secrecy is violated (this does not necessarily require disclosure of information requiring protection; a violation can also occur with the ordinary loss of a secret document), then this is considered an emergency. The fact is that when state secrets are disclosed, the interests of the country are threatened in one way or another. In order for information to be classified as a state secret and receive a certain degree of secrecy, it must meet the criteria strictly prescribed in the Constitution of the Russian Federation.

In total, there are three classifications of secrecy, according to which data can be designated as having “special importance”, as well as defined as “top secret” and “secret”.

1.2 List of information and procedure for classifying it as a state secret, secrecy regime.

Lawyers call state secrets the most important legal element of our time. Without it, it is difficult to imagine the mechanism of power.

The Law on State Secrets and the list of information classified as state secrets include only the categories of information that constitute a state secret and do not include the information itself that is a state secret. Thus, neither the law nor the list determines the degree of confidentiality of information. Classification and classification of information as state secrets is carried out in accordance with the principles of legality, relevance and timeliness.

Three forms of access for officials and citizens to classified information have been established, corresponding to the three degrees constituting state secrets: information of special importance, access by most government officials and civilians to information with a higher degree of secrecy is the basis for access to information with a lower degree of secrecy. The conditions and procedures for reorganizing citizens' access to state secrets are determined by regulatory documents approved by the Federal Government of Russia. The procedure for admitting civil servants and citizens to state secrets in the event of declared emergency situations may be changed by the President of the Russian Federation.

The Labor Code of the Russian Federation provides for two special grounds for terminating an employment contract with employees working with information constituting state secrets, state, commercial, official, or other, which became known to the employee in connection with the performance of his job duties (subclause “c” of paragraph 6 of Part 1 Art. 81); Article 58 – dismissal due to termination of access to state secrets, if the work performed requires access to state secrets (Clause 10, Part 1, Article 83). Along with these grounds, the Law, in particular, Art. 23 defines the grounds for termination of access to state secrets.

1.3. The regime of secrecy in the activities of internal affairs bodies. Features of obtaining access to state secrets.

To protect state secrets, a special administrative and legal regime is implemented in the system of internal affairs bodies - the secrecy regime.

The legal basis for the secrecy regime is:

1. Constitution of the Russian Federation,

2. Law of the Russian Federation “On Security”,

3. Law of the Russian Federation “On State Secrets”,

4. Law of the Russian Federation “On informatization information and information protection”,

5. Law of the Russian Federation “On Police”,

6. Law of the Russian Federation “On operational investigation”,

7. Decrees of the Government of the Russian Federation;

8. Decrees of the President of the Russian Federation and other by-laws, as well as departmental orders “On measures to strengthen the secrecy regime in the system of the Ministry of Internal Affairs of the Russian Federation dated March 15, 2005 No. 015 and recommendations thereto;

9. “On approval of the list of information subject to classification in the system of the Ministry of Internal Affairs of the Russian Federation” dated March 1, 2007 No. 750dsp;

10. “On the introduction into force of the Instruction on the procedure for admitting officials and citizens of the Russian Federation to state secrets” dated December 20, 1995 No. 490 dsp;

11. “On approval of temporary instructions on technical protection of information in the Department of Internal Affairs of the Russian Federation and Internal Troops of the Ministry of Internal Affairs of the Russian Federation” dated July 5, 2001 No. 029;

12. “On approval of documents regulating the procedure for handling restricted official information” dated December 15, 1997 No. 825 dsp;

13. joint order of the Ministry of Internal Affairs of Russia and the FSB of the Russian Federation “On licensing of units of the Ministry of Internal Affairs” dated May 20, 1998 No. 279/211 dsp; · “On the creation of the Central Expert Commission on the Secrecy Regime” dated March 26, 1992 No. 91;

14. “On the Central Expert Commission” No. 861 of 1998,

15. “On the organization of office work...” dated March 1, 1999 No. 150. and amendments to it;

16. “On approval of the list of documents generated in the activities of the Department of Internal Affairs ... indicating storage periods” 158 of November 19, 1996 No. 615.

A special role in this type of security, such as information security, is given to the protection of information constituting state secrets, which is traditionally regarded as a secrecy regime.

2.Legal protection of state secrets in the context of information security

2.1 Protection and regulation of state secrets in the information flow

State secret is information protected by the state in the field of its military, foreign policy, economic, intelligence, counterintelligence and operational investigative activities, the dissemination of which could harm the security of the Russian Federation.

The legislation of the Russian Federation on state secrets is based on:

1. Constitution of the Russian Federation;

2. Law of the Russian Federation "On Security";

3. Law of the Russian Federation “On State Secrets”;

4. Provisions of other acts of legislation regulating relations related to the protection of state secrets.

The issue of protecting state secrets has always been relevant, be it the encryption of letters in past centuries or cryptographic means of protection now, the purpose of which will always be the same - the protection of information. The modern Russian state has significantly transformed both in the foreign policy sense and in the socio-economic sense, and significant changes could also be reflected in some provisions of the legislation.

State secret is information protected by the state in the field of its military, foreign policy, economic, intelligence, counterintelligence and operational investigative activities, the dissemination of which could harm the security of the Russian state.

Currently, the legislation provides for several articles regulating criminal liability for violating the safety of information constituting a state secret, these include: Art. 275 (Treason), 276 (Espionage), 283 (Disclosure of state secrets), 283.1 (Illegal acquisition of information constituting a state secret), 284 (Loss of documents containing state secrets) of the Criminal Code of the Russian Federation.

It is worth considering that, in accordance with the official data of the Judicial Department at the Supreme Court of the Russian Federation, according to judicial statistics, the following points were identified that were convicted for these crimes:

For 2021 – 71 people;

For 2022 – 83 people;

For 2023 - more than 101 people.

You can notice the growth dynamics of people who were found guilty of committing crimes.

2.2 Development of legislation of the Russian Federation on trade secrets.The procedure for the emergence and termination of the right to a trade secret.

A trade secret is the confidentiality of information that allows its copyright holder, under existing or possible circumstances, to increase income, avoid unjustified expenses, maintain a position in the market for goods, works, services, or obtain other commercial benefits. (Article 2 of the Federal Law “On Trade Secrets” dated July 29, 2004 (as amended on March 12, 2014) No. 98-FZ)

Information constituting a trade secret - information of any nature (production, technical, economic, organizational and others), including the results of intellectual activity in the scientific and technical field, as well as information about methods of carrying out professional activities that have actual or potential commercial value due to their unknownness to third parties, to which there is no free access on a legal basis and in respect of which the owner of such information has introduced a trade secret regime.

The main feature is a sign that the information is unknown to third parties. A trade secret must have real and potential commercial value and must be legally inaccessible.

The provision of a trade secret means its transfer by the owner to government bodies, other government bodies, and local government bodies in order to perform their functions.

2.3 Features of personal data protection in the Russian Federation.

Personal data protection is a set of legal, organizational and technical measures aimed at ensuring the protection of personal data from unauthorized or accidental access, destruction, modification, blocking, copying, provision, distribution, as well as from other unlawful actions in relation to personal data. According to Art. 2 of the Federal Law of July 27, 2006 No. 152-FZ “On Personal Data” (hereinafter referred to as the Law on Personal Data), its purpose is to protect the rights and freedoms of man and citizen when processing his personal data, including the protection of rights to privacy life, personal and family secrets.

The fundamental law in the field of personal data protection is the Federal Law “On Personal Data” No. 152, which was adopted by the State Duma on July 8, 2006 and came into force on January 26, 2007. The law defines:

1. basic concepts related to the processing of personal data;

2. principles and conditions for processing personal data;

3. obligations of the personal data operator;

4. rights of the subject of personal data;

5. types of liability for violation of the requirements of Federal Law No. 152;

6. government bodies monitoring compliance with the requirements of Federal Law No. 152.

An important element of ensuring comprehensive protection of personal data is the use of technical means.

Key words: personal data, law, government bodies, trade secrets, legislation, secrecy regime, labor code, CONSTITUTION

Conclusion

The secrecy regime in internal affairs bodies (OVD) plays an important role in ensuring the safety of society and protecting the rights of citizens. It involves restricting access to certain information, which may contain confidential data about crime investigations, the identities of witnesses or victims, police tactics and other information that could be dangerous if it falls into the hands of criminals.

The introduction of a secrecy regime in the internal affairs department helps prevent information leakage, maintain the confidentiality of operational data, ensure the safety of participants in the investigation and the effectiveness of operational activities. At the same time, it is necessary to maintain a balance between the need for secrecy and transparency in the activities of law enforcement agencies in order to avoid abuses and violations of the rights of citizens.

Thus, the secrecy regime in police departments is an integral part of their work aimed at ensuring public safety and protecting the rights of citizens. However, it is important to strictly comply with laws and regulations governing the use and disclosure of confidential information to avoid negative consequences and ensure the legality of law enforcement actions.

Key words: law enforcement agencies, law, confidential information, protection of rights, secrecy regime, internal affairs bodies.

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