«Private professional educational institution "Krasnoyarsk Cooperative College of Economics, Commerce and Law»

Interdisciplinary educational project in the disciplines of "Bodies carrying out operational investigative activities" and " Foreign language"

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Specialty: " Law enforcement"

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Content

[Annotation 2](#_Toc196313994)

[The main part. 5](#_Toc196313995)

[State bodies authorized to carry out operational investigative activities. 5](#_Toc196313996)

[1.1 An operational unit as an entity directly engaged in operational investigative activities 5](#_Toc196313997)

[1.2 Tasks of the bodies carrying out operational investigative activities. 6](#_Toc196313998)

[1.3 The rights and obligations of the operational investigative body. 8](#_Toc196313999)

[2. Operational investigative jurisdiction. 10](#_Toc196314000)

[Conclusion 12](#_Toc196314001)

[List of materials used 13](#_Toc196314002)

# Annotation

In this project, I study the growth of crime and the increasing level of its organization, which pose serious threats to the security of society and the stability of the state in Russia. Current trends require law enforcement agencies to develop and implement improved strategies and techniques for countering crime. The threat to the State structure is becoming more tangible despite the existing measures to maintain law and order, limited by the capabilities of current legislation and insufficient effectiveness of practical actions. . Despite the certain stability of the personnel of the relevant services, the ongoing changes in the powers and structure of organizations require constant monitoring and flexible adaptation of the management system and regulation of the activities of internal affairs bodies and special services that ensure the security of the country.

Keywords (10)

Growth, Organization, State, Law enforcement agencies, Strategies, Confrontation, Legislation, Powers,Special services.

[Introduction](https://translate.yandex.ru/" \t "_blank)

[Relevance: Crime is currently changing its quality significantly. There is an increase in professionalism, organization and corruption of the criminal environment, new ways of committing crimes are emerging, modern achievements of science and technology are being used. Opposition to the preliminary investigation authorities by those involved in the criminal event is becoming increasingly common. Therefore, the role of operational investigative activities in the detection and investigation of crimes is significantly increasing.](https://translate.yandex.ru/" \t "_blank)

The purpose of the project: is to study the tasks, rights and obligations of bodies engaged in operational investigative activities.

Project objectives:

1. to characterize the legal status of government agencies engaged in operational investigative activities.

2. to consider the specifics of the legal status of the operational unit of the internal affairs bodies as a subject of the ORDO.

3. analyze the set of rights and obligations of the operational investigative body.

4. define operational investigative jurisdiction.

5. improve the vocabulary of professional vocabulary.

Hypothesis: there is a need to create and operate specialized structures that can effectively detect, prevent and investigate crimes.

The object of the study: the bodies carrying out operational and investigative activities.

# **The main part.**

# **State bodies authorized to carry out operational investigative activities.**

# **1.1 An operational unit as an entity directly engaged in operational investigative activities**

Article 13 of the Federal Law "On Operational Search Activities" lists the subjects of operational search activities and their powers in the field of operational search activities. The latter are applicable only on the territory of the Russian Federation. The units carrying out operational search activities are government agencies that carry out various operational search activities in accordance with the functions assigned to them and within the limits of their established powers. If we consider the Ministry of Internal Affairs of the Russian Federation, the right to conduct investigative activities here is vested with the operational units of the criminal police, in particular, the criminal investigation department; combating economic crimes; tax crimes; combating organized crime; operational search; special technical measures; own security; operational search information. The criminal police also includes the National Central Bureau of Interpol and its territorial divisions. In the structure of the Federal Penitentiary Service, the right to conduct operational search activities is vested with: operational management and subordinate units of territorial bodies and institutions of the penal enforcement system, management of pre-trial detention centers and prisons and operational units of SIZOs and prisons, operational, technical and search management and subordinate units of territorial bodies. The Federal Drug Control Service of Russia has authorized units of the Operational Search Department, its own security, Operational and Technical Management, Operational and Search Management of the Department of Operational Support and subordinate units of territorial bodies.

Only the above-mentioned bodies can carry out operational investigative activities. For example, officials (prosecutors, judges, investigators, telecom operators, interrogators, etc.) who control and supervise the activities of bodies

engaged in operational search activities are not even given a limited right to carry out such activities, they are only participants in operational search relations, no more. It is worth noting that Article 13 of the Federal Law "On Operational Investigative Activities" contains blank standards. In this regard, in order to clarify its content and the correct practical application of the prescriptions set out in it, one should be guided by the norms of a number of legislative and other regulatory legal acts.

* 1. **Tasks of the bodies carrying out operational investigative activities.**

Powers are a set of rights and duties, therefore, each body has its own. The authority implies the tasks and functions for this type of body, which are defined by relevant industry laws and subordinate regulatory legal acts..

The tasks of operational investigative activities include:

1. detection, suppression and disclosure of crimes; 2) search for persons who have committed a misdemeanor or crime, as well as missing persons; 3) obtaining information about events or actions that pose a threat to the state, military, economic or environmental security of Russia. On the territory of our state, the right to carry out operational search activities has been granted to operational units: 1) bodies of internal affairs of the Russian Federation; 2) bodies of the Federal Security Service; 3) bodies of the Federal Tax Police Service; 4) federal bodies of state protection: the Federal Security Service of the Russian Federation and the Security Service of the President of the Russian Federation; 5) bodies of the Federal Border Guard Service of the Russian Federation; 6) customs authorities of the Russian Federation; 7) the Foreign Intelligence Service of the Russian Federation.

Their activities are based on the constitutional principles of legality and respect for human and civil rights and freedoms, as well as on the principles of conspiracy, a combination of public and secret methods and means.

The activities carried out by the bodies carrying out operational search activities are diverse, namely, interviewing citizens; making inquiries; collecting samples for comparative research; verification purchase; examination of objects and documents; surveillance; identification; inspection of premises, buildings, structures, terrain and vehicles; control of mail, telegraphic and other communications; wiretapping of telephone conversations; removal of information and technical communication channels; operational implementation; controlleddelivery; operational experiment.

In the Russian Federation, there is no strict differentiation of the competencies of the ORD bodies, they are of a related nature, for example, the FSB carries out operational search activities to identify, prevent, suppress and disclose not only espionage, terrorist activities, but also organized crime, corruption, illicit trafficking in weapons and narcotic drugs, smuggling, the duty of combating which is vested and other government agencies, namely, – the bodies of internal affairs, the customs authorities of the Russian Federation, the bodies for the control of trafficking in narcotic drugs and psychotropic substances. This confusion arose due to the fact that the legislator defined only the general sphere of responsibility of the subjects of the ORDO, but delimited only the area of activity of operational units.

For example, if the activities of illegal armed formations, organized criminal groups, individuals and public associations are aimed at forcibly changing the constitutional order of the Russian Federation, then the detection and suppression of such crimes falls within the competence of the FSB; if their activities pursue not political, but mercenary goals, then the fight against illegal armed formations, criminal groups or the actions of individual persons are within the competence of the internal affairs bodies, customs or other bodies that are subjects of the ORDO. In a situation where the duty to identify, prevent, suppress and disclose crimes defined by the same norms of the Criminal Code of the Russian Federation is assigned simultaneously to various authorities.

For example, the bodies responsible for combating terrorism are the FSB of the Russian Federation; the Ministry of Internal Affairs of the Russian Federation; the Foreign Intelligence Service of the Russian Federation; the Federal Security Service of the Russian Federation; and the Ministry of Defense of the Russian Federation.

The Ministry of Internal Affairs of the Russian Federation is responsible for the prevention, detection and suppression of terrorist crimes that pursue selfish goals. The Federal Security Service of the Russian Federation carries out the fight against terrorism by ensuring the security of state security facilities and the protection of protected facilities, etc. (Article 7 of the Federal Law "On Combating Terrorism").

* 1. **The rights and obligations of the operational investigative body.**

The duties of the operational search authorities in accordance with art. 14 of the Federal Law on the Order include:

1. Taking, within the limits of its powers, all necessary measures to protect the constitutional rights and freedoms of man and citizen, property, as well as to ensure the security of society and the state.

2. Execution, within the limits of their powers, in writing of the instructions of the body of inquiry, the investigator, the instructions of the prosecutor and court decisions on the conduct of operational investigative measures in criminal cases accepted by them for production.

3. To carry out requests from relevant international law enforcement organizations, law enforcement agencies and special services of foreign states on

the basis and in accordance with the procedure provided for by international

4. To inform other bodies carrying out operational search activities on the territory of the Russian Federation about the facts of illegal activities that have become known to them, falling within the competence of these bodies, and to provide these bodies with the necessary assistance.

5. Observe the rules of secrecy when carrying out operational investigative activities.

6. To assist in ensuring, in accordance with the procedure established by the legislation of the Russian Federation, the safety and security of the property of its employees, persons assisting bodies engaged in operational investigative activities, participants in criminal proceedings, as well as family members and relatives of these persons from criminal encroachments.

The rights of operational search agencies:

1. To carry out publicly and secretly the operational search measures listed in art. 6 of the Federal Law on Emergency Situations, to seize objects, materials and messages during their implementation, to interrupt the provision of communication services in the event of an immediate threat to the life and health of a person, as well as threats to the state, military, economic or environmental security of the Russian Federation.
2. Establish, on a gratuitous or paid basis, cooperative relations with persons who have agreed to provide confidential assistance to bodies engaged in operational investigative activities.
3. To use office premises, property of enterprises, institutions, organizations, military units, as well as residential and non-residential premises, vehicles and other private property during operational search activities under a contract or oral agreement.
4. For purposes of conspiracy, use documents that encrypt the identity of officials, departmental affiliation of enterprises, institutions, organizations, divisions, premises and vehicles of bodies engaged in operational investigative activities, as well as the identity of citizens who assist them on a confidential basis.
5. To establish enterprises, institutions, organizations and divisions in

accordance with the procedure established by the legislation of the Russian Federation to solve the tasks provided for by Federal Law.

# **2. Operational investigative jurisdiction.**

The subject matter depends on the nature of the illegal act. It is determined based on the areas of activity of the bodies engaged in operational investigative activities. The legislation of the Russian Federation defines the following areas of their activity as the responsibility of the relevant authorities:

a) bodies of internal affairs of the Russian Federation: ensuring personal security; prevention and suppression of crimes and administrative offenses; detection and disclosure of crimes; protection of public order and ensuring public safety; protection of private, state, municipal and other forms of property;

b) bodies of the federal security Service: counterintelligence activities (identification, prevention, suppression of intelligence and other activities of special services and organizations of foreign states, as well as individuals aimed at harming the security of the Russian Federation); combating crime and terrorist activities; intelligence activities; border activities; ensuring information security; other activities defined by by federal law;

c) federal state security agencies: ensuring the safety of state security facilities;

d) customs authorities of the Russian Federation: identification, prevention, suppression and disclosure of crimes, the conduct of urgent investigative actions and inquiries for which are attributed by the criminal procedure legislation of the Russian Federation to the jurisdiction of customs authorities, identification and identification of persons who prepare, commit or commit;

e) The Foreign Intelligence Service of the Russian Federation: obtaining and processing information about real and potential opportunities, actions, plans and intentions of foreign states, organizations and individuals affecting the vital interests of the Russian Federation;

f) Federal Penitentiary Service;

g) bodies for the control of trafficking in narcotic drugs and psychotropic substances: countering illicit trafficking in narcotic drugs, psychotropic substances and their precursors;

h) the foreign intelligence agency of the Ministry of Defense of the Russian Federation: conducts operational search activities only for the purpose of ensuring the security of the specified foreign intelligence agency; Territorial – depends on the location of the offense (crime or misdemeanor). Territorial subordination proceeds from the administrative-territorial division of our state (district, region, territory, republic, autonomous region, city of federal significance, etc.) and the competence of bodies carrying out operational investigative activities that control the relevant area.

Personal – in relation to certain objects (for example, bodies of the federal security service in the military (military counterintelligence) – in relation to the Armed Forces of the Russian Federation, other troops and military formations.

# **Conclusion**

Summing up the work done, I found out that operational investigative activities occupy an important place in the activities of a number of government agencies and departments, which the legislator has granted the right to carry out operational investigative measures in order to protect life, health, human and civil rights and freedoms, property, as well as to ensure the security of society and the state from criminal encroachments.. The actions of the subjects are regulated both by the commented Law itself and by other legislative, as well as departmental and interdepartmental regulatory legal acts defining the competence of the subjects, the procedure for their interaction, and detailing operational investigative activities, including its organization and tactics. Operational-investigative subordination has not yet been clearly reflected in the Federal Law on the ORDO, investigative jurisdiction acts as a definite guideline for operatives of various ORO when they establish pre-school institutions. The work on achieving the common goals of the ORD and solving common tasks is detailed in relation to each of the nine ORO. Their activities are quite specific, correspond to operational investigative jurisdiction and proceed within the framework of "their" competence. The totality of these and other provisions determines the guarantees of the legality of the activity. The former prescribes to act in accordance with the procedure strictly established by law and departmental regulations, which ensures their immunity from the law for alleged violations, while the latter either ensures their inviolability, respect for their rights, or restricts them, but within a strictly defined framework, i.e. does not allow arbitrariness on the part of the subjects of the ORDO.

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