

TO THE DISCUSSION ABOUT LEGAL MEANS OF ENSURING SECRET IN OPERATIONAL-SEARCH ACTIVITIES

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This article examines the demand for additional legal instruments to ensure operational secrecy in law enforcement agencies. It identifies certain inconsistencies and gaps in the current regulatory framework, calling for improvements to consolidate both public and intra-departmental instruments into a unified legal framework. The study aims to confirm the hypothesis that enhancing the legal provisions governing operational secrecy will contribute to the effectiveness of law enforcement operations.

The research employs a comprehensive analysis of existing laws, regulations, and practices related to operational activities. It explores the concept of operational secrecy and highlights the need for a coherent understanding of this legal category. Furthermore, it emphasizes the significance of confidentiality in operational activities and the associated challenges of regulating specific methods and techniques, considering their unique and dynamic nature.

The findings reveal two key directions for the further development of operational secrecy instruments. Firstly, the article argues that publicly disclosing detailed information regarding the essence, specific instruments, and methods employed in operational activities would be counterproductive and undermine operational effectiveness. However, it also recognizes the necessity of harmonizing the understanding and application of operational secrecy by providing a clear legal definition within the legislation governing operational and investigative activities. Therefore, it proposes amending the relevant provisions of the Law “On Operational and Investigative Activities” to encompass a comprehensive legal framework for operational secrecy.

Secondly, the research highlights that information regarding overt operational and investigative measures and their contents may indirectly or directly expose the interests of law enforcement agencies, reveal their tactics for gathering information, and compromise the effectiveness of their efforts to detect, prevent, and deter criminal activities and threats to national security. While administrative liability currently applies to breaches of emerging “operational secrecy”, violations of the “secrecy of investigation” fall under criminal liability, including imprisonment. Moreover, in certain cases, criminal liability exists for breaches of information protection rules even in the civil domain. Consequently, the article suggests exploring the balance between the level of responsibility and the potential damage caused to societal interests when imposing liability for breaches of operational secrecy.

To address the identified challenges, one potential solution could be the codification of operational and investigative norms. Such an approach would not only provide a systematic and structured presentation of laws governing operational activities but also facilitate logical and consistent links between the discussed legal framework and related branches of law.

In conclusion, this study underscores the importance of additional legal instruments to safeguard operational secrecy in law enforcement agencies. It calls for improvements in the current legal framework, emphasizing the need for a unified and comprehensive legal approach. By confirming the research hypothesis, this article provides valuable insights into enhancing operational secrecy and its implications for the effectiveness of law enforcement operations.

1. Introduction

An essential feature of operational investigative activity¹ is its predominantly unspoken nature, based on the principle of conspiracy. Many Russian scientists have studied conspiracy in their works: V.K. Znikin [1], K.M. Lobzov [2], B.P. Mikhailov [3], N.V. Pavlichenko [4-7], N.Yu. Ponomarenko [8], A.I. Tambovtsev [9], G.K. Sinchenko [10], O.M. Khlobustov [11], V.A. Cherepanov [12], A.Yu. Shumilov [13] and others.

Thus, V.A. Cherepanov rightly notes that "the successful fight against crime, which takes place in conditions of active counteraction and conspiracy on the part of criminals, their use of modern technical means, is possible only on the basis of a combination of public and secret operational investigative measures²" [12, p. 78]. It seems quite logical that only covert law enforcement activities can be opposed to covert illegal activities, and the ability to apply this principle in their practical activities is one of the important elements in determining the professional suitability of detectives [14, p. 128].

Both special operational techniques and various legal mechanisms, such as the institute of State secrets, are used as tools to ensure secrecy. At the same time, even he cannot fully guarantee the safety of information, and when they are declassified for further proof in a criminal case, a number of problematic factors also arise. This problem, especially the protection of the rights of confidants, is given attention in the scientific literature in the works of S.I. Davydov [15], A.V. Kolesnikov

[16], V.I. Zazhitsky [17], O.D. Zhuk [18] and others.

Along with the above, a significant amount of information is obtained by operational investigative agencies³ by conducting public OI measures implemented in constant contact with other public authorities, public associations, citizens, etc. In this regard, it seems difficult to completely exclude the possibility of leakage of any information necessary for the activities of OI agencies. These circumstances determine the need for additional study and improvement of legal mechanisms for the protection of information about OI measures, especially when conducting one of the most common OI measures - "Making inquiries". The author sees it as an urgent research task to study the currently existing legal instruments for ensuring the secrecy of public OI activity, paying special attention to compliance with the secrecy regime when sending official requests from bodies authorized to carry out OI activity, and developing recommendations to overcome emerging difficulties.

2. On the balance of legal guarantees for the protection of conspiracy during the conduct of public and unspoken OI measures.

The operational search dictionary of A.Y. Shumilov quite accurately calls conspiracy "the system of requirements and conditions for their implementation imposed by the legislator, aimed at keeping secret information about the OI activity, the withdrawal of which from the possession of the OI agencies may harm this activity and its participants" [19, p. 62]. The significance of the damage is explained by the nature of the information in circulation by OI agencies. These can be both the OI materials, initially fixing objective facts (for example, the results

¹ Hereinafter referred to as the OI activity. Activity carried out openly and secretly by detectives of state bodies to carry out operational investigative measures in order to protect the life, health, rights and freedoms of man and citizen, property, and ensure the safety of society and the state from criminal encroachments.

² Hereinafter referred to as OI measures. An exhaustive list of measures provided for in the Federal Law "On OI activity", carried out to achieve the goal of OI activity.

³ Hereinafter referred to as OI agencies. State bodies of the Russian Federation authorized by Federal Law "On OI activity" to carry out OI activity.

of the OI measures, limiting the constitutional rights of citizens to the inviolability of their homes, the secrecy of correspondence, telephone and other negotiations, postal, telegraphic and other communications), and derivatives of information from other persons and organizations (for example, information constituting family, medical, banking and other legally protected secrets).

Along with the assessment of the amount of damage caused by the violation of the secrecy of operational investigative activities, the problem of balancing the public and intradepartmental regulation of the secret nature of the activities of OI agencies are seen. As N.V. Pavlichenko rightly points out, "the principle of conspiracy is for her (*for operational investigative activities* – approx. the author's) defining, key, fundamental, but at the same time its legal content in the law is not disclosed and requires appropriate normative adjustments to enhance its legitimacy, simplicity and accessibility of its interpretation" [5, p. 62]. Of course, due to the secrecy inherent in the OI activity, the substantive side of secrecy in the work of the OI agencies are to a certain extent left to the departmental regulatory framework and the practice of law enforcement agencies. At the same time, some problematic issues, as practice shows, still need to be reflected in the public legal space, which determines the need to maintain a certain balance between regulation in an "open" and "closed" regulatory framework.

To ensure the safety of information about the OI activity, the institute of state secrets is actively used, and in Part 1 of Article 12 of the Federal Law "On OI activity"⁴ a specific list of fundamental information related to such

information is listed. However, it is worth noting that the listed provisions relate to the unspoken OI measures conducted. Whereas modern transparency and speed of information dissemination necessitate the availability of legal instruments, if not similar, then comparable in reliability, in the case of public OI measures. These conclusions stem from the essence of the OI activity: in whatever forms it is carried out, secretly or openly, in any case it is aimed at protecting the life, health, rights and freedoms of man and citizen, property, ensuring the security of society and the state from criminal encroachments.

It seems that it is for this reason that in December 2020, the legislator attempted to solve this non-trivial task by strengthening the mechanisms for ensuring secrecy by adopting Federal Law No. 515-FZ of 12/30/2020⁵, which prohibits the disclosure by citizens and legal entities of information contained in requests sent to them on behalf of OI agencies for the provision of information.

To study the problems of practical application of the innovation, two waves (January 2022 and January 2023) of expert surveys were conducted, each of which was attended by 40 employees of the OI agencies of the Siberian Federal District. As a result, the following data were obtained (Table 1).

Table 1

The results of expert surveys on the application of Article 12.1 of the Federal Law "On OI activity"

<i>Contr ol questi ons</i>	<i>Are detectives aware of the imposed</i>	<i>Do detectives have an idea of the procedure</i>	<i>Did detectives have a practice of applying</i>
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⁴ The Federal Law "On Operational Investigative Activities" dated 08/12/1995 No. 144-FZ provides for an exhaustive list of measures that the operational investigative agencies of the Russian Federation have the right to carry out, as well as the procedure for their conduct.

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⁵ Federal Law No. 515-FZ dated 12/30/2020 "On Amendments to Certain Legislative Acts of the Russian Federation in terms of Ensuring the Confidentiality of Information about Protected Persons and on the Implementation of Operational Investigative activities" (latest edition) // SZ RF. 2021. No. 1 (Part 1). Art. 54.]

Survey period	norm, % of respondents (yes/no)	for applying the norm, % of respondents (yes/no)	the norm, % of respondents (yes/no)
January 2022	5/95	0/100	0/100
January 2023	30/70	5/95	0/100

As can be seen, the respondents demonstrated a rather weak knowledge of the changes made to the Federal Law "On OI activity" and the procedure for their application. The empirical data obtained are confirmed by available judicial practice. Thus, in the judicial practice presented by the Consultant Plus system, since the introduction of the norm prohibiting the disclosure of information from requests from OI agencies for information, there have been only two mentions of this norm. It was not possible to establish data on judicial practice on the norm in question on other platforms. It is noteworthy that in both identified court decisions, we are not talking about the implementation of this prohibition by applying any sanction. The norm is used either as a definition of the procedure for making information about the OI activity public (which in its legal meaning is closer to Article 12, and not 12.1 of the Federal Law "On OI activity"), or to justify the use of the results of the OI activity during a desk check.

Analyzing the empirical data obtained, the researcher formulated the following presuppositions:

1. The introduction of a norm on liability for disclosure of information about ongoing OI measures are not in demand for objective reasons.

2. The implementation of the norm is complicated by the lack of a well-developed mechanism for the implementation of the above norm and understanding of this mechanism by detectives.

To clarify and determine the causes of the results identified in the framework of an empirical study, let's look at each of their formulated assumptions.

3. On the impact of the norm prohibiting the disclosure of information from the requests of the OI agencies on the effectiveness of the secret regime of the OI activity.

In the dictionary of A.Y. Shumilov, the OI measure "Making inquiries" is understood as "obtaining information relevant to solving the tasks of the OI activity by sending a request to the appropriate legal entity or individual and receiving an answer to it, as well as receiving it by directly familiarizing the detective (agent, etc.) with the content of a material information carrier (document, etc.)" [19, p. 89]. It is obvious to anyone who is not even interested in the procedure for conducting OI activity, and even more so to a detective, that this event is one of the most common ways to obtain information. The relevance and simplicity of this operational investigative measure entails the creation of significant risks of "leakage" of information during its implementation, which, apparently, led to the need to amend the Federal Law "On OI activity".

Arguing about the validity of the introduction of a norm prohibiting the disclosure of information from requests from OI agencies for information, it is worth mentioning the fair statement of V.K. Znikin that "specific secret activities, referred to in our state as operational investigative, exist for as long as there is a human race, intrigues, strife, crime and war" [18, p. 64]. In this regard, it is difficult to argue that the tactics and methods of conspiracy used in the OI activity in collecting information from various sources have long been studied and honed, and an integral part of the work of detectives is to conceal from strangers the goals and essence of the activities carried out before the stage of legalization of materials obtained in the criminal process.

Based on this message, detectives may poorly

use provisions on liability for disclosure of information contained in their requests, including for reasons of using more effective methods, such as legitimizing the goals and substance of the request and others. If a citizen, an official, or an organization has disclosed information that is important to OI agencies, then bringing those responsible to justice will not be able to restore the already lost element of "secrecy" of interest shown by law enforcement agencies. In this case, the special operational methods used by generations to ensure secrecy turn out to be much more effective and reliable.

On the other hand, the introduction of the responsibility in question should also not be underestimated. It has a significant socio-psychological function, emphasizing the importance of keeping the information requested by OI agencies secret. In this regard, the low awareness of detectives about the change in the basic operational search law may indicate the need to improve the work on finding ways to synthesize new legal instruments in the operational search process. Of course, taking into account the turnover of law enforcement personnel noted by a number of researchers [21; 22; 23] and the complexity of the work environment of detectives, there are reasonable obstacles in ensuring multidirectional high qualifications of young employees. Mastering a large amount of knowledge and skills of an detectives, a thorough and painstaking study of the features of the detective art, which consists in using special techniques of the OI activity, is naturally not a fast process.

Thus, it is possible to speak with confidence about the demand for a new prohibitive norm. However, the positive aspect of its introduction is seen only when a number of conditions are met.

1. Detectives should not abandon the developed and time-honed special techniques for ensuring secrecy, complementing the existing arsenal of tools, and not replacing any of the already existing "tools" of the detective

to keep secret information about the ongoing OI activity.

2. The prohibition in question should be organically integrated into the existing system of measures to ensure secrecy, synthesized with them. Taking into account the indication in Article 12.1 of the Federal Law "On OI activity" that it is necessary to provide a reference directly to the prohibition of disclosure of information in a request for information, this should be done in every request for information from OI agencies, regardless of the significance of the information contained in the document (or requested). The absence of exceptions is important in order to avoid drawing unnecessary attention to any specific information or request.

3. For the same reason, the practice of bringing to justice persons who divulged information from the request for information should be verified. Following the path of inevitability of punishment, it is necessary to weigh each specific case, preventing further damage to legally protected interests by drawing attention to the fact of disclosure of specific information.

4. The work on the training of detectives should be improved for the timely and effective use of new legal mechanisms for OI activity.

Failure to comply with the above conditions will weaken the conspiratorial regime of the implementation of OI activity, rather than strengthen it, in view of the unsystematic and non-targeted implementation of the introduced norm.

4. Methods and procedure for the implementation of the prohibition of disclosure of the content of requests for information.

By introducing this protective norm, the legislator did not explain the motivation and justification for the introduced changes. Thus, the explanatory note to the specified draft law actually duplicated the text of the article, without linking it in any way with the available tools for ensuring the secrecy of operational

investigative activities, without linking the innovation in question and the previously existing norms into a single legal substance. In this connection, questions of direct law enforcement naturally arose. Thus, there is no special provision in the current legislation on liability for disclosure of information from OI agency requests. As we noted earlier, the uncertainty of the application of liability measures in the exercise of the powers of the bodies carrying out the OI activity is "a breeding ground for attempts by destructively minded individuals to impede the legitimate activities of detectives" [24, p. 54].

Considering this rule, it is possible to trace similarities with the "secret investigation" existing in criminal proceedings. Thus, according to Article 12.1 of the Federal Law "On OI activity", the information contained in the request can be made public only with the permission of an official of the OI agencies, and only to the extent that it will be recognized as permissible if official interests require it. The prohibition on making public the above information, however, does not apply to information that:

- announced in open court or made public during pre-trial proceedings with the permission of the investigator, inquirer;
- set out in statements, complaints and other documents when challenging decisions or actions of bodies (officials) engaged in OI activity;
- distributed by OI agency, an investigator, an inquirer, a prosecutor or a court in the mass media, the information and telecommunications network "Internet" or in another public way.

The above-mentioned grounds echo the exceptions existing in relation to the "mystery of the investigation", which emphasizes their relationship to the "mystery of OI activity" being formed.

As interim measures of an administrative and legal nature, it is possible to use the norms provided for in Articles 13.14, 13.14.1 and 17.13 of the Administrative Code of Russia.

The exceptions for involvement under these articles of the Administrative Code of Russia are situations provided for by criminal structures (art. 137, 138, 147, 155, 183, 275, 276, 283, 284, 310, 311, 320 The Criminal Code of Russia), as well as other related administrative structures (Articles 5.53, 13.11, 14.29, 14.33, 15.19 Administrative Code of Russia).

1. The analysis of the target administrative structures demonstrates the wide variability of the available means to implement the ban on disclosure of information from the requests of the OI agencies (Table 2).

2.

3. Table 2

4. A brief comparative description of the composition of administrative offenses in the implementation of Article 12.1 of the Federal Law "On OI activity"

5.

<i>Article of the Administrative Code</i>	<i>Type of the subject of the offense*</i>	<i>Form of the guilt</i>	<i>Type of the objective side of the offense*</i>
Article 13.14	Special **	Intent or negligence	Disclosure of information, access to which is limited by law
Article 13.14.1	Common	Intent	Obtaining information in any illegal way, access to which is limited by law
Part 1, Article 17.13	Special ***	Intent or negligence	Violation of the requirements provided for by the legislation of the Russian Federation on state protection
Part 2 of Article 17.13	Common	Intent	Collection, transfer (dissemination), provision,

			access) of personal data of public officials**** in connection with their official activities or the performance of public duty by such persons or personal data of relatives of such persons committed in violation of the requirements of the legislation of the Russian Federation in the field of personal data
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* In Russian legal science, the subject, the object, the subjective side and the objective side are integral parts of the offense.

** a person who has received access to information in connection with the performance of official or professional duties.

*** a person who is obliged to comply with the requirements to ensure confidentiality of information about protected persons and their property.

****For brevity, the author has replaced the term "public officials" with the specific list of categories of officials provided for in the article.

Considering the specifics of the objective side of Article 13.14 of the Administrative Code of Russia, it is necessary to pay attention to the heterogeneity of judicial practice regarding the interpretation of the term "disclosure", the disclosure of the content of which is absent in Russian legislation. In this regard, in most cases, only actions are recognized by judicial authorities as disclosure. In addition, it is generally accepted practice to recognize the fact of disclosure only when information limited to dissemination becomes known to at least one outsider. At the same time, the author fully supports the opinion of E.V. Leoshkevich about the possibility of committing this offense, including by failing to take necessary

measures for the security of information at the disposal of a person or by posting information in a publicly accessible place (for example, on an open Internet site), even if there is no reliable information about the perception of this information by outsiders [25, pp. 43-44]. In this regard, it seems that this offense can be completely intentional or negligent.

On the contrary, Article 13.14.1 of the Administrative Code of Russia provides for the possibility of committing an administrative offense only intentionally. At the same time, the disposition of this article provides for the possibility of committing an offense with unlimited variability of methods, which makes it quite universal in application.

With regard to Article 17.13 of the Administrative Code of Russia, it is worth noting that often, in addition to the official of the OI agency signing the document, the requests also indicate detectives allocated for interaction. This information, especially in the aggregate of several requests, may indirectly indicate the number, fixed areas and areas of activity of specific detectives, as well as contain other information essential for the OI agencies. The collection and analysis of such information can cause significant damage to the activities and interests of a law enforcement agency. significantly reduce the level of secrecy of the OI activity carried out. Of course, such activities for obtaining and consolidating information are more typical for organized forms of criminal activity, including extremist associations, terrorist groups, as well as intelligence activities of special services of foreign states.

It should be noted that when applying the rules on liability for disclosure of information contained in OI agency requests, it is necessary to specify in the text of the request the responsibility for disclosure of the information contained therein. A person must necessarily be aware that the information in his possession is not subject to disclosure.

5. Conclusion.

The conducted research shows the demand for additional legal instruments to ensure the secrecy of OI activity. At the same time, the improvement of the considered institutions of the OI activity is required.

1. On the one hand, given the "secrecy" of the OI activity, disclosure in the public space of categories associated with an understanding of the essence of conspiracy, specific tools and methods of work of the OI agencies to ensure it is not advisable and reduces the effectiveness of this activity. In addition, specific methods, due to the uniqueness of each situation, simply cannot be regulated in detail, since they are the fruit of detective art and resourcefulness of detectives.

On the other hand, the regulation of the content of the principle of conspiracy exclusively in the regulatory framework of individual departments prevents the uniformity of understanding of this legal category, which entails a heterogeneity of law enforcement practice in responding to violations of this principle. In addition, the creation of additional tools to ensure secrecy in an "open" regulatory framework, while at the same time not disclosing the content of this category, entails a rupture of the unified legal substance of legislation on OI activity. In this regard, it seems quite reasonable to correct this shortcoming and reveal the legal content of the principle of conspiracy in the Federal Law "On OI activity".

2. Information about the conducted public OI measures and their content may indirectly or directly indicate the objects of interest of law enforcement agencies, the chosen tactics to identify, prevent and suppress specific criminal activity. However, if violation of the "secrecy of the investigation" entails liability under Article 310 of the Criminal Code of Russia up to the application of arrest for up to three months, then violation of the emerging "secrecy of OI activity" entails only administrative responsibility.

It is also worth considering the important feature of secrecy discussed in the article: if

the information has already ceased to be secret and has been disclosed, bringing to justice for such actions can only draw additional attention to the OI measures being carried out, and not eliminate the consequences of disclosing information or prevent additional damage. When the envisaged liability for disclosure of information collected for the above-mentioned purposes is limited to an administrative fine, similar to that imposed in cases of disclosure of legally protected personal data or professional secrets (for example, pawnshop secrets), the question arises of the ratio of the measure of responsibility to the extent of damage caused to public relations. In this regard, it is worth considering the possibility of introducing a special rule for the disclosure of information contained in OI agency requests.

3. One of the solutions to the revealed problems could be the codification of operational investigative norms. Such a solution, in addition to providing a systematic and structural presentation of the norms on the OI activity, would allow for a more logical and consistent building of links between the considered and other related branches of law.

REFERENCES

1. Znikin V.K. Problems of ensuring the security of participants in criminal proceedings. *Vestnik Tomskogo gosudarstvennogo universiteta. Pravo = Tomsk State University Journal of Law*, 2016, no. 4 (22), pp. 36–41. DOI: 10.17223/22253513/22/5. (In Russ.).
2. Lobzov K.M., Gordienko V.V. Conspiracy and secrecy in operational-investigative activity (theoretical and methodological analysis). *Operativnik (syshchik) = Field investigator (Sleuth)*, 2012, no. 2 (31), pp. 6–11. (In Russ.).
3. Mikhailov B.P., Khazov E.N. Actual issues of ensuring conspiracy in operational-investigative activities. *Vestnik ekonomicheskoi bezopasnosti*, 2016, no. 2, pp. 156–161. (In Russ.).
4. Pavlichenko N.V., Samodelkin N.V. Silence in the operational-search activity. *Vestnik Volgogradskoi akademii MVD Rossii = Journal of the Volgograd Academy of the Ministry of the Interior of Russia*, 2012, no. 3 (22), pp. 88–93. (In Russ.).
5. Pavlichenko N.V., Tambovtsev A.I. The principle of conspiracy in operational-search activity: conceptuality VS declarativeness. *Trudy Akademii upravleniya MVD Rossii*, 2019, no. 2 (50), pp. 58–63. (In Russ.).
6. Pavlichenko N.V. Rules of secrecy (ways to identify problems). *Aktual'nye problemy bor'by s prestupleniyami i inymi pravonarusheniyami*, 2006, no. 6, pp. 55–57. (In Russ.).
7. Pavlichenko N.V. Principles of conspiracy of operational-search activity. *Politseiskoe pravo*, 2005, no. 3 (3), pp. 81–83. (In Russ.).
8. Ponomarenko N.Yu. The concept of the principle of conspiracy of operational-search activity. *Izvestiya Tul'skogo gosudarstvennogo universiteta. Ekonomicheskie i yuridicheskie nauki*, 2016, no. 3-2, pp. 395–399. (In Russ.).
9. Tambovtsev A.I., Pavlichenko N.V. Operational-investigative measures and investigative actions requiring judicial authorization: questions of correlation. *Vestnik Kaliningradskogo filiala Sankt-Peterburgskogo universiteta MVD Rossii*, 2017, no. 3 (49), pp. 7–10. (In Russ.).
10. Sinchenko G.Ch. Four steps to investigation. *Operativnik (syshchik) = Field investigator (Sleuth)*, 2014, no. 4 (41), pp. 31–38. (In Russ.).
11. Khlobustov O.M. On the purpose and content of the principles of conspiracy, the combination of overt and covert methods and means in the operational-search activity. *Operativnik (syshchik) = Field investigator (Sleuth)*, 2008, no. 3 (16), pp. 35–40. (In Russ.).
12. Cherepanov V.A. Constitutional and legal aspects of the operational-search activity. *Gosudarstvo i pravo = State and Law*, 2012, no. 10, pp. 78–81. (In Russ.).
13. Shumilov A.Yu. In search of the essence of contemporary operational-investigative activity: a view by syzkologist. *Operativnik (syshchik) = Field investigator (Sleuth)*, 2014, no. 2 (39), pp. 3–9. (In Russ.).
14. Bovin B.G. Psychological model of professional suitability for operational-search activities. *Psikhologiya i pravo = Psychology and Law*, 2021, vol. 11, no. 4, pp. 126–137. DOI: 10.17759/psylaw.2021110409. (In Russ.).
15. Davydov S.I., Petukhov E.N. Problems of protection of witnesses from among the confidants: criminal procedural aspect. *Izvestiya Altaiskogo gosudarstvennogo universiteta*, 2018, no. 3 (101), pp. 38–42. DOI: 10.14258/izvasu(2018)3-06. (In Russ.).
16. Kolesnikov A.V. Using the results of operational-search activity in the detection and investigation of crimes against the person. *Vestnik Rossiiskogo universiteta druzhby narodov. Seriya: Yuridicheskie nauki = RUDN Journal of Law*, 2016, no. 1, pp. 79–92. (In Russ.).
17. Zazhitsky V.I. On the use in proving the results of operational-investigative activities. *Gosudarstvo i pravo = State and Law*, 2010, no. 7, pp. 61–71. (In Russ.).
18. Zhuk O.D., Shevtsova L.V. Comparative legal aspects of conducting individual investigative actions and operational-search measures in international criminal prosecution. *Vestnik Tomskogo gosudarstvennogo universiteta. Pravo = Tomsk State University Journal of Law*, 2019, no. 34, pp. 71–88. DOI 10.17223/22253513/34/7. (In Russ.).
19. Shumilov A.Yu. *Operative-search dictionary*, Guide. Moscow, Russian Customs Academy Publ., 2018, 216 p. (In Russ.).
20. Znikin V.K. Classification of operational-search activity and its features, in: Yakimovich Yu.K. (ed.). *Pravovye problemy ukrepleniya rossiiskoi gosudarstvennosti*, Tomsk, National Research Tomsk State University Publ., 2002, pp. 63–67. (In Russ.).
21. Pavlov A. D. Ways to reduce the staff turnover of internal affairs bodies engaged in countering terrorism. *Sovremennye tendentsii v ekonomike i upravlenii: novyi vzglyad*, 2016, no. 41-1, pp. 68–72. (In Russ.).

22. Kryazheva S.G. The problem of studying the causes and conditions of personnel turnover in law enforcement agencies. *Gosudarstvennaya sluzhba i kadry*, 2020, no. 1, pp. 101–102. DOI: 10.24411/2312-0444-2020-10025. (In Russ.).

23. Kostina E.V. The phenomenon of the prestige of service in the internal affairs bodies as an indicator of the assessment of staff turnover. *Psikhologiya i pedagogika sluzhebnoi deyatel'nosti = Psychology and Pedagogics of Official Activity*, 2022, no. 3, pp. 47–53. DOI: 10.24412/2658-638X-2022-3-47-53. (In Russ.).

24. Senchikhin S.P., Znikin V.K. Some issues of legal regulation of the operational-search activity “Poll”. *Operativnik (syshchik) = Field investigator (Sleuth)*, 2018, no. 1 (54), pp. 51–55. (In Russ.).

25. Leoshkevich E.V. Current issues of bringing to administrative responsibility for the dissemination of disclosure of information, access to which is limited by federal law. *Evrasiiskaya advokatura = Eurasian Advocacy*, 2022, no. 4 (59), pp. 41–45. DOI: 10.52068/2304-9839_2022_59_4_41. (In Russ.).

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BIBLIOGRAPHIC DESCRIPTION

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