PROBLEMS OF LEGAL STANDARDS APPLICABLE TO ORGANIZATION OF INVESTIGATIVE ACTIVITIES BY THE INTERNAL AFFAIRS AGENCIES IN THE RUSSIAN FEDERATION

S.I. Girko
Federal State Institution Research Institute of the Federal Penitentiary Service Russia,
Narvskaya St. 15A Moscow, 125130, Russia

R.A. Zhuravlev
Research and Development Centre of the Academy of Management of the Ministry of Internal Affairs of Russia, 8/1 Zoi i Aleksandra Kosmodemiyanikh St.,
Moscow, 125171, Russia

S.V. Kharchenko, A.V. Rudoi, S.A. Tsepinskii
Academy of Management of the Ministry of Internal Affairs of Russia, 8/1 Zoi i Aleksandra Kosmodemiyanikh St., Moscow, 125171, Russia

ABSTRACT

The article analyzes the main laws and international regulations addressing the issues of investigative activities organization by the internal affairs agencies (the IAAs). The authors highlight that the very nature, objectives, and tasks of investigative activities require clear and consistent regulation both within the country and at the international level. The authors underline the necessity to regulate the fight against organized crime by a special law, which has not been done so far. The authors come to conclusion that international regulations related to investigative activities should have impact on organization of investigative activities of the internal affairs agencies aimed at fighting the criminals, whose activity is of transnational nature, whereas, on the other hand, the national legislation related to the fight against organized crime should properly account for such regulations.

Key words: legal basis, international legal acts, agreements, investigative activities, fight against crime.

1. INTRODUCTION

1.1. Introducing the Problem

Law enforcement activities in the context of state system functioning are impossible without their legal foundation and impact of the statutes of the law on the subjects of the relations to be governed.

Surely, legal regulation of investigative activities includes many aspects of state activities. It uses judicial tools for formation of such organization of public life, which is reasonably required at the current stage of political, social and economic development in order to ensure optimal functioning of the society.

The necessity to improve the system of organizational and managerial as well as organizational and tactical actions aimed at efficient fulfillment of tasks facing operating units of the IAAs, and ensuring security of critical interests of a person, a society, and a state from internal and external treats, requires continuous researches and further development of legal foundation of investigative activities, which is noted *inter alia* in the Federal Law of the Russian Federation “On Security” [1].

Analysis of international legal documents and practices shows that the United Nations Organization plays the key role in generation of generally accepted standards related to improvement of criminal justice, and for more than 40 years the UN has been paying special attention to the problems related to increase of criminal justice efficiency.

The crime, and especially its organized forms, moved beyond national borders, therefore we can only fight it based on the stable international cooperation. This development mainly results from transparent borders, increase of international tourism, and other factors [2-4]. Yet, the higher the level of crime internationalization is, the more active and comprehensive should be cooperation of states in their fight against organized crime. A rule of thumb states that it is quite successful also within the scope of regional international organizations. It may be illustrated by an example of cooperation of the CIS members in their fight against organized crime, which is expressed not only in certain practical actions but also in creation of common regulatory environment governing their joint operations.

Therefore, relevancy of this problem requires deeper studying and analysis of legislative acts regulating investigative activities of the internal affairs agencies.

1.2. Explore Importance of the Problem

Analysis of scientific and special literature and effective legislation allows establishing that the issues of improvement of legal regulation of investigative activities performed by the IAAs are taken quite seriously. Scientific papers define fundamental theses related to determination of the essence of investigative activities organization and their legal foundation. It will not be an exaggeration to say that it were the results of accomplished scientific researches and original initiatives, which allowed developing and introducing special laws on investigative activities [5, 6].

It is important to highlight that legal norms comprising the system of legislative regulation of any aspect of activities have different degrees of legal efficiency. Specialized literature reflects various scientific approaches to examination of general legal regulation of investigative activities organization; it suggests various classifications of its tasks and levels, particularly those related to fight against crime.

The educational and monographic publications by A.Y. Shumilov [7, 8] are dedicated to the examination of this topic.
Problems of Legal Standards Applicable to Organization of Investigative Activities by the Internal Affairs Agencies in the Russian Federation

Certain aspects of the problem were considered in the articles by B.M. Atmazhitov & B.G. Bobrov [5, 6], R.B. Guseinov & I.A. Klimov [9], S.V. Kharchenko & A.V. Rudoy [10], S.V. Kharchenko [11], U.A. Shamshiev [12], V.F. Scherbakov [13], etc.

2. METHOD
Performing the research, the authors followed generally accepted scientific and specific legal method of obtaining knowledge: historically legal, formally legal, comparatively legal, sociological, etc. The authors mainly applied systemically structural method, which allowed identifying peculiarities of legal regulation of investigative activities performed by the internal affairs agencies, and problems existing in this field.

Combination of historically legal and comparatively legal methods allowed identifying peculiarities of historical conditions influence on regulatory and legal framework development in the field of investigative activities.

Formally legal method allowed analyzing legal norms regulating investigative activities of the internal affairs agencies.

Sociological method provided a foundation to substantiate certain conclusions, suggestions, and recommendations accounting for specific information obtained from sociological survey.

3. RESULTS
1. Our research showed that the system of legal norm regulating investigative activities of the IAAs includes rules and regulations established by the regulatory legal acts of different legal validity, which are divided into four groups:
   - international regulatory legal acts regulating legal, organizational and tactical issues of investigative activities, resources, and means application for the purpose of fight against crime;
   - laws and other regulatory legal acts of the supreme legislative body of the Russian Federation reflecting issues of organization of investigative activities to be performed by the IAAs for the purpose of fight against crime;
   - subordinate regulatory legal acts of the federal bodies of executive power regulating issues of organization of investigative activities to be performed by the IAAs for the purpose of fight against crime;
   - sectoral and cross-sectoral regulatory legal acts, which describe the main elements of organization of investigative activities to be performed by the IAAs for the purpose of fight against crime, etc.

2. The suggested classification of investigative activities legal foundation levels is universal based on the criterion of the level of law-making and use of the notion of a regulatory legal act, when a regulatory legal act means an official written document adopted (issued) in the form established by law, aimed at introduction, amendment or revocation of legal norms of universally binding official orders of permanent or temporary nature implying their repeated use.

3. The research showed that international legal norms are especially important for fight against crime since the most significant relations in the sphere of investigative activities are based thereon.

4. The analysis showed that the mutual relations of operational subdivisions of the Ministry of Internal Affairs of the Russian Federation and law-enforcement agencies of foreign countries fighting against organized crime are built on the basis of the numerous international treaties of
the Russian Federation related to the issues of legal support in criminal and other cases, which are to the great extent comprised by transnational legal acts of the members of the Commonwealth of Independent States (the CIS).

5. The authors identified a necessity to regulate the sphere of fight against organized crime in Russia by a special law.

6. The article lists a number of gaps existing in the international and Russian legislation, which adversely affect organization of investigative activities to be performed by the IAAs in their fight against crime, particularly their choice of areas and tactics of documenting of criminal actions performed by the leaders and members of organized criminal structures, including those of transnational nature, as well as qualifying evidences of the specified actions. These and other problems in legislation and regulatory acts are yet to be resolved.

4. DISCUSSION

As Kharchenko notes, one of the significant factors having impact on organization of investigative activities to be performed by the IAAs in modern conditions is its legal regulation, statutory legal confirmation of competence and liability of the above agencies and their operating subdivisions [11].

Shcherbakov points out that the state in its regulation of public relations materializes public interests – ensuring human rights and liberties, public order and stable financial and economic relations, international obligations; it controls legal relations and applies measure of procedural compulsion in case of a failure to follow the rules [13].

Analysis of international legal documents and practices shows that the UN plays the key role in formation of generally accepted standards in the area of criminal justice improvement. In the first place, the UN develops a strategy of international cooperation development in the sphere of fight against crime as a factor having material impact on criminal justice. In our opinion, one of the fundamental documents on these issues is the Declaration of the Fourth Congress of the UN on the Prevention of Crime and the Treatment of Offenders adopted in August 1970 in Kyoto, Japan. Although it does not contain any definite orders and norms applicable to criminal procedural legal relationships, it became a landmark since it recommended giving a high priority to strengthening of international cooperation in the sphere of crime prevention.

The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Wien, Dec-20, 1988) became the first international legal document opened for execution under the aegis of the United Nations shortly after the UN Seventh Congress on the Prevention of Crime and the Treatment of Offenders, and it contains the fundamentals of international legal regulation of joint (international) investigations.

The United Nations Convention against Transnational Organized Crime adopted by the UN General Assembly Resolution 55/25 of November 15, 2000 (hereinafter referred to as the Convention) brought the institute of joint (international) investigations up to a new, higher stage of international legal regulation. It was the first document on the level of universal international treaties containing a separate Article 19 “Joint Investigations”.

The international legal regulation of joint investigations further development in the first universal legally binding international treaty against the corruption, uniquely forward looking and far-reaching – the United Nations Organization Convention against the Corruption adopted by the UN General Assembly Resolution 58/4 of October 31, 2003 and opened for execution on December 9, 2003.

The Convention contains provisions setting forth definite measures and mechanisms of international cooperation for corruption prevention and at the same time, it ensures flexibility
Problems of Legal Standards Applicable to Organization of Investigative Activities by the Internal Affairs Agencies in the Russian Federation

of certain actions that may be required depending on the existing circumstances. Article 49 of the Convention repeats provisions of Article 19 of the UN Convention against Transnational Organized Crime.

However, our research showed that *international legal norms*, on which the most critical relations in the sphere of investigative activities are based, are very important for fight against crime, and they include the following:

- The Universal Declaration of Human Rights adopted by the UN General Assembly on December 10, 1948, the Article 12 of which declared everyone’s right to the protection of the law against arbitrary interference with their privacy, family, home or correspondence;
- The European Convention for the Protection of Human Rights and Fundamental Freedoms adopted by the Council of Europe on November 4, 1950 prohibiting interference of a public authority in exercise of a person’s right to privacy, except for the cases when it is in accordance with law and is necessary for national security and prevention of crime (Art. 8);
- The UN Convention against Transnational Organized Crime. In accordance with the definitions from the Convention, a gang has the characteristics of an *organized criminal group* (cl. 1a Art. 2), and gangsterism – those of a *serious crime* (cl. 1b Art. 2). Its provisions may apply to an organized criminal structure dealing with criminal business involving vehicles, if at least one of its crimes is of a transnational nature, which is determined in accordance with cl. 2 Art. 3 of the Convention, namely:
  a) It is committed in more than one state;
  b) It is committed in one state but a substantial part of its preparation, planning, direction or control takes place in another state;
  c) It is committed in one state but involves an organized criminal group that engages in criminal activities in more than one state; or
  d) It is committed in one state but has substantial effects in another state.

Pursuant to the Convention, the member states may request mutual legal assistance, which represents a part of investigative activities in its essence: examining objects and sites, providing information, evidentiary items and expert evaluations, providing originals or certified copies of relevant documents and records, including government, bank, financial, corporate or business records, etc. (cl. 3 Art. 18) [14, 15].

Moreover, information about a transnational organized group may be provided without prior request (cl. 4 Art. 18).

The Convention describes special investigative techniques, which may apply to a transnational organized group and which include: controlled delivery, electronic or other forms of surveillance, and undercover operations (Art. 20). Decisions on use of controlled deliveries at the international level, upon consent of the interested member states, may include such methods as *intercepting and allowing the goods to continue intact or be removed or replaced in whole or in part*.

The Convention also reflects issues related to ensuring of confiscation of proceeds of crimes, property, equipment or other means used in or destined for use in offences covered by the Convention (Articles 12, 13, 14); measures for protection of witnesses (Art. 24), victims (Art. 25), members of organized group cooperating with law enforcement authorities (Art. 26); collection and exchange of information in relation to a transnational organized group (Articles 27, 28) and up to immunity from criminal prosecution; training and technical assistance (Art. 29) [16, 17].

At the same time, in our opinion, the Convention provisions, on the one hand, should affect organization of investigative activities to be performed by the IAAs for fight against
crime, which is of a transnational nature, and on the other hand – should be reflected adequately during formation of the national legislation for fight against organized crime.

Based on the treaties and legislations, intergovernmental cooperation of the Ministries of Internal Affairs of the CIS members represents in fact joint practical activities subordinated to a common strategy. From this point of view, treaties and legislations, legislative foundations of intergovernmental cooperation in fight against crime are substantially supported by organizational basis in the form of development, approval, and implementation of various intergovernmental programs and concepts.

Law-enforcement community accumulated significant experience in implementation of the corresponding programs. One of the first steps in the sphere of organization of intergovernmental fight against organized crime was approval of “The Program of joint actions in the fight against organized crime and other forms of dangerous crimes in the territory of the CIS” by the Council of CIS State Leaders in March 1993 within the scope of the Decision of the Commonwealth of Independent States Leaders “On Regulations concerning the bureau for coordination of fight against organized crime and other forms of dangerous crimes in the territory of the Commonwealth of Independent States members” [18].

Regardless of the indisputable significance of the above program, the authors consider its declarative nature and lack of implementation arrangements to be a material weakness. This gap is also characteristic of other similar programs adopted later. In order to take efficient counter actions and to improve legal basis for fight against organized crime and corruption, the Program found it beneficial to suggest the legislative bodies of the CIS members to develop and introduce laws on fight against organized crime and corruption, on civil service, on fight against money laundering, on weapons, on protection of law-enforcement agencies employees and parties to a criminal litigation, and on investigative activities. Organizational and practical actions for fight against criminal business involving vehicles were described separately (cl. 2.1).

This resulted in failure to take measures mentioned in the programs including ratification of a number of international treaties by the CIS members and discrepancies in regulatory and legal framework of fight against organized crime.

In September 1993, the Council of CIS State Leaders made a decision to create the Office for the Coordination of the Fight against Organized Crime and Other Forms of Dangerous Crimes in the Territory of the CIS (OCFOC). Dynamics of crime development, growing complexity of its organized forms, and peculiarities of the national state construction in the area of law enforcement urged the states to put forward adequate tasks for their own law-enforcement agencies in order to transform such agencies. In 2005, the Regulation on OCFOC was revised by the Decision of the Council of the Commonwealth of Independent States Leaders “On the Regulation on the Office for the Coordination of the Fight against Organized Crime and Other Forms of Dangerous Crimes in the Territory of the Commonwealth of Independent States”. Shamshiev notes that it reflected both contemporary level of pressing issues in fight against organized crime, and states’ willingness to intensify significantly cooperation in this area [12].

Model laws adopted by the Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States stand out among the international regulations (regulatory legal acts), which are covered in this article. To begin with, they include non-binding legislative act “On the Fight against Organized Crime” (adopted by the Interparliamentary Assembly of Member Nations of the CIS on November 2, 1996) and the Model Law on investigative activities (new version) (adopted on November 16, 2006).

Model laws affected formation of the national legislation of Member Nations of the CIS in the sphere of fight against organized crime. For instance, legislative acts in the sphere of fight
 against organized crime have been adopted in the Republic of Belarus [19, 20], and Georgia [21]. Currently, a draft Law of Kyrgyz Republic “On Counteraction to Organized Crime” is put out for public discussion.

In the Russian Federation, today, no special law regulates fight against organized crime, although a draft of such law was approved by the Federation Council (in 1995, a draft of the Federal Law “On Fight against Organized Crime” was adopted by the State Duma of the Russian Federation, approved by the Federation Council, but it has no been signed by the President of the Russian Federation.).

A separate group of international legal acts is comprised by agreements on cooperation between standalone law-enforcement agencies of Member Nations of the CIS, among which the following should be listed: the Agreement “On Cooperation of the Ministries of Internal Affairs of the Independent States in the Fight against Crime” dated April 24, 1992; the Convention on Legal Aid and Legal Relations in Civil, Family and Criminal Cases dated January 22, 1993; Protocol to the Convention on Legal Aid and Legal Relations in Civil, Family and Criminal Cases dated March 28, 1997; the Convention on the Transfer of Persons Sentenced to Imprisonment for Further Service of Sentence dated March 6, 1998; the Agreement “On Mutual Relations of Ministries of Internal Affairs in the Sphere of Information Exchange” dated August 3, 1992; the Agreement “On Cooperation of Ministries of Internal Affairs in the Sphere of Fight against Organized Crime” dated February 17, 1994; the Agreement “On Cooperation between the Ministry of Internal Affairs of the Russian Federation and the Ministry of Internal Affairs of the Republic of Belarus” dated September 30, 1997; the Agreement between the Ministry of Internal Affairs of the Russian Federation and the Ministry of Internal Affairs of the Republic of Belarus on Cooperation of the Internal Affairs Agencies of Regions near International Border dated September 30, 1997; the Agreement “On Cooperation of Member Nations of the Commonwealth of Independent States in the Fight against Crime” dated November 25, 1998; the Agreement on Cooperation of Member Nations of the Commonwealth of Independent States in the Fight against Vehicles Hijacking and Ensuring Return Thereof” dated November 25, 2005; the Agreement on Information Exchange in the Sphere of Fight against Crime dated May 22, 2009; the Agreement on Legal Aid and Cooperation of the Customs Agencies of Member States of the Customs Union in Criminal Litigations and Administrative Offence Cases dated July 5, 2010; the Agreement between the Government of the Russian Federation and the Government of the Republic of Belarus on Transport (Vehicles) Control at the External Border of the Allied State dated October 5, 2010; the Joint Order of the MIA of Russia and the MIA of the Republic of Belarus dated January 23, 1998 No.12/61 “On the work of associated board of the Ministries of Internal Affairs of the Allied State; Joint Plans of cooperation between the internal affairs agencies of regions near international border of the Russian Federation and of the Republic of Belarus in the fight against crime, enforcement of public order and security in the years 2013-2014; the Agreement on Cooperation of the Ministries of Internal Affairs of Independent States in the Sphere of Fight against Crime executed in Almaty on April 24, 1992, in which the parties agreed to answer the inquiries and requests related to criminal cases and police dossiers, exchange relevant information on the offences that have been or are ready to be committed, assist in performance of investigative activities and procedural actions; the Agreement on cooperation between the Ministries of Internal Affairs in Fight against Illicit Traffic in Narcotic Drugs and Psychotropic Substances executed in Kiev on October 21, 1992; the Agreement on cooperation of the Ministries of Internal Affairs in the sphere of fight against organized crime executed in Ashgabat on February 17,1994; the Agreement on cooperation in the sphere of special support of investigative activities signed at the meeting of the Board of Ministers of Internal Affairs of Member Nations of the CIS on December 16-18,
1998 in Moscow, which regulates the procedure of answering to the requests for surveillance of persons reasonably suspected in crimes commitment when they cross internal borders of the CIS, as well as some other multilateral and bilateral international treaties and agreements in the sphere of the fight against crime.

The Federal Law of the Russian Federation dated October 25, 1999 No. 193-FZ “On Ratification of the European Convention on Mutual Legal Aid in Criminal Matters and the Additional Protocol Thereto” and the Federal Law of the Russian Federation dated October 25, 1999 No. 190-FZ “On Ratification of the European Convention on Extradition, the Additional Protocol and the Second Additional Protocol Thereto” have also been adopted. These federal laws create legal basis for successful international cooperation of Russia and the European countries in the fight against crime committed by criminal structures, other crimes, investigation of criminal cases, and extradition of criminals. Today, cooperation in this area is one of the examples of efficient cooperation with the countries of Europe in justice [22].

In addition, we should mention the resolution of the Government of the Russian Federation dated June 29, 1995 No. 653 “On Execution of Cooperation Agreements between the Ministry of Internal Affairs of the Russian Federation and Competent Authorities of Foreign Countries”. This legal act introduces a standard draft agreement on cooperation between the MIA of Russia and similar competent authorities of other countries. In addition, it obliges the MIA of Russia to initiate execution of such agreements.

The issues of fight against vehicles hijacking are regulated by the Agreement “On Cooperation of Member Nations of the Commonwealth of Independent States in the Fight against Vehicles Hijacking and Ensuring Return Thereof” dated November 25, 2005. It contains definitions of a vehicle, its integrity and hijacking, and it appoints competent authorities of the Nations authorized to fight against such offences, etc.

One of the legal acts comprising legal framework of international cooperation of the MIA of Russia in the sphere of solving of vehicle hijackings by criminal structures is the Temporary procedure of control of vehicles imported by individuals into the Russian Federation in transit through the territory of the Republic of Belarus [23]. This legal act is aimed at tightening of control over transit vehicles entering the territory of Russia from Belarus. It creates the opportunities to identify hijacked vehicles crossing the state border of the Russian Federation.

Russia executed treaties and agreements on cooperation in the fight against crime with all countries of the Commonwealth of Independent States. Moreover, similar international regulatory legal acts are executed with Sweden, Belgium, Brazil, the UK, Vietnam, Germany, Greece, Egypt, Spain, Latvia, Norway, and Slovakia.

It is interesting to know the opinion of the officers and employees of the IAAs’ operating subdivisions revealed through questionnaires: 87.3% of respondents believe that in order to take prompt, complete and efficient measures aimed at detection, prevention, control and solving of offences commenced by one or more members of transnational and international organized criminal structures in the sphere of criminal business involving vehicles in the territories of two or more State Parties, and at detection of absconding criminals, it is necessary to ratify the Convention on Legal Aid and Legal Relations in Civil, Family and Criminal Cases executed in Kishinev on October 07, 2002. Article 63 of the above Convention regulates the procedure of creation and functioning of joint crime scene investigation teams. Ratification of this Convention will result in introduction of the corresponding changes in the Criminal Procedure Codes of the State Parties and in standard regulations.

The fundamental source of Russian legal regulation of relationships involving organization of investigative activities to be performed by the IAAs for fight against crime is...
the Constitution of the Russian Federation adopted by the national vote on December 12, 1993 (as amended on December 30, 2008). The Fundamental Law of the state declares protection of personal dignity from violence and other forms of degrading treatment. It also proclaims everyone’s right to freedom and personal inviolability, and guarantees protection of everyone’s honor and reputation. The Constitution guarantees security and public order to the society and the state.

Another critical legislative act regulating relationships in this sphere is *the Criminal Code of the Russian Federation*. It determines competence of the internal affairs agencies related to criminal laws. It lists exact socially dangerous acts, and provides detailed regulation of liability for committed crimes. Possibility of exemption from criminal liability (under certain conditions) allows delivering flexible punitive and disciplinary policy in relation to persons violating Russian legislation.

Regulatory legal acts regulating organization of investigative activities to be performed by the IAAs also include the laws containing instructions on the necessity to take prompt actions or regulate certain general issues of such activities.

The first ones include a number of norms of criminal procedure legislation. For instance, Art. 140 of the Criminal Procedure Code of the Russian Federation contains reasons and grounds for institution of a criminal case. Article 141 of the Criminal Procedure Code of the Russian Federation regulates the procedure of acceptance and registration of a crime incident report, thus it obliges to take actions necessary for its solving. This article points out to the fact that solution of this task is impossible without investigative activities and without participation of subjects authorized to take such actions.

Criminal procedure legislation contains many specific instructions ensuring possibility to use investigation information in the process of crimes investigations and litigations.

The following legislative acts include those, which to certain extent regulate the issues of investigative activities organization. We may rightfully list here the Federal Law “*On Police*”, where actions of the police officers in relation to fight against the above crimes results from a number of provisions, particularly from Art. 13 “Police Rights” (clauses 1–6, 9–19, 21, 25, 27) and this law sets forth the ability to perform investigative and other activities for fulfillment of obligations imposed on the police: receipt of necessary explanations, statements and documents from individuals and officials; free receipt of information and other powers from enterprises, organizations and institutions and use thereof for fulfilment of investigative activities by the internal affairs agencies in their fight against crime, etc.

The core of legislative framework for organization of investigative activities to be performed by the IAAs is formed by the norms of the Federal Law “On Investigative Activities”. It systematizes a number of guidelines: it introduces new legal definitions, significantly expands rights and capabilities of operating subdivisions in their fight against crime; it regulates grounds and procedure of judicial examination of materials on restriction of persons’ constitutional rights during investigative activities; it clearer formulates measures of judicial and social protection of subjects of investigative activities, etc [24].

Moreover, the law regulates the rights and obligations of the agencies performing investigative activities, sets forth the control and supervision over investigative activities.

It should be noted that many issues related to organization and fulfillment of investigative activities are reflected in decisions of judicial agencies containing explanations and interpretation of legislation norms, including investigative activities.
5. CONCLUSIONS
Therefore, the performed analysis of current state of the international and Russian legislation regulating organization of investigative activities to be performed by the IAAs allows coming to certain conclusions. The article lists a number of gaps existing in the international and Russian legislation, which have adverse effect on organization of investigative activities to be performed by the IAAs for the purpose of fight against crime, particularly the choice of areas and tactics of documenting of criminal actions performed by the leaders and members of organized criminal structures, including those of transnational nature, as well as qualifying evidences of the specified actions. These and other problems in legislation and regulatory acts are yet to be resolved.

REFERENCES


Problems of Legal Standards Applicable to Organization of Investigative Activities by the Internal Affairs Agencies in the Russian Federation

[10] Kharchenko, S.V. and Rudoy, A.V. K voprosu o pravovoi osnove organizatsii operativno-rozysknoi deyatelnosti organov vnutrennikh del v izolyatorakh vremennoogo soderzhaniya [To the issue of legal basis for organization of investigative activities performed by the internal affairs agencies in temporary detention facilities]. Gozudarstvennaia sluzhba i kadry [Public Service and Staff], 4, 2017, pp. 160-164 (in Rus.).


[23] Temporary procedure of control of vehicles imported by individuals into the Russian Federation in transit through the territory of the Republic of Belarus as approved by the chairpersons of the State Customs Committee of the Russian Federation on 15.10.97 No. 01-23/19919 and the State Customs Committee of the Republic of Belarus on 28.10.97 No. 02/5PS. Economy and life, 40, 1999.