



## CONTENT-ESSENCE OF PERSONS ASSISTING IN QUICK-SEARCH ACTIVITY

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Annotation: In the article, the law of the CIS member states, including Ukraine, Kazakhstan, Russia, Kyrgyzstan, Azerbaijan, Lithuania, Armenia, Tajikistan, Moldova, and Belarus and the law "On Rapid Search Activity" provides for the rapid- the article about the person assisting the search activity was analyzed and scientifically based suggestions were made.

Keywords: fast-tracking activity, helping person, citizen.

In the dictionary of the Uzbek language *help financial*, physical, and other support, help; *to help*, to aid, to help<sup>1</sup>; *human [a. the person - someone, person, breed]* A special person in society, a person<sup>2</sup> The meanings are explained.

The persons who assist in rapid-search activities are referred to the process of practical cooperation of citizens who voluntarily agree to help organizations performing rapid-search activities in the effective organization of their service activities.

The following was revealed when the legal norms of the CIS member states regarding the financial provision of rapid search activities were studied. In particular, *Ukraine Republican* In the Law "On Emergency Search Activities": "regardless of the form of ownership, state authorities, enterprises, institutions, organizations, assist emergency units in solving the tasks of emergency-search activities, formalize agreements on secret cooperation with emergency units at the request of individuals, this the conclusion of agreements between the parties (between the immediate employee and the supporting persons), the procedure for concluding the agreement is determined by the Cabinet of Ministers of Ukraine, the obligation of the persons involved in the performance of TQF tasks to keep secrets known to them, if such information is disclosed, they are held accountable in the prescribed manner, lawyers, notaries, medical It is prohibited to involve employees, priests, journalists in the performance of tasks of operational-search activities" (11-m)<sup>3</sup>, it became known that the rules on the content of the operational units have been established, on the conclusion of agreements with supporting persons, as well as on the prohibition of cooperation with five categories of professionals.

*of the Republic of Kazakhstan* In the Law "On Emergency Search Activities": "Officials and other services of the state bodies, organizations, military units and public associations of the Republic of Kazakhstan shall provide assistance to bodies performing emergency search

<sup>1</sup> An explanatory dictionary of the Uzbek language: more than 80,000 words and phrases. J. II. K – Organized / Editorial board: T. Mirzaev (leader) and others. Own. Res. FA Institute of Language and Literature. - T.: "National Encyclopedia of Uzbekistan" State Scientific Publishing House, 2006. - B.455.

<sup>2</sup> An explanatory dictionary of the Uzbek language: more than 80,000 words and phrases. J. IV. Sh – Organized / Editorial board: T. Mirzaev (leader) and others. Own. Res. FA Institute of Language and Literature. - T.: "National Encyclopedia of Uzbekistan" State Scientific Publishing House, 2006. - B.557.

<sup>3</sup> Law of the Republic of Ukraine dated February 18, 1992 No. 2135-XII "On operational-search activity" // Electron source: <http://online.zakon.kz>. (murojaat vaqti: 03/18/2023).

activities in solving the tasks provided for in Article 2 of this law, and these bodies not to prevent them from carrying out rapid search activities within the scope of their authority, to involve some citizens in the preparation and conduct of secret (including contractual) rapid search activities with the bodies that perform rapid search activities based on their consent, these persons prepare rapid search activities or to keep confidential the information known to them during the transfer, not to intentionally provide false information to TQF authorities, to disclose such information and to knowingly provide false information, in accordance with the procedure established by the laws of the Republic of Kazakhstan, r-the possibility of entering into contracts on cooperation with adult persons of legal capacity regardless of their citizenship, nationality, gender, social and property status, education, membership of public associations, political and religious beliefs, the form of the contract, its validity conditions and terms to be determined by departmental normative documents (13-m)<sup>4</sup>It was found that the rules contained in

*Russia Federation*In the law "On rapid search activities": "with the consent of individual persons, to assist the bodies that carry out rapid search activities, to prepare and conduct rapid search activities on the basis of a contract, while maintaining the secrecy of cooperation, these persons are to prepare for rapid search activities and carry it out to keep confidential the information known to them during the transfer and not to knowingly give false information to the TQF bodies, the bodies implementing the TQF are persons of adult legal capacity, regardless of their citizenship, nationality, gender, property and social status, education, membership of public associations, religious and political beliefs conclusion of contracts with, prohibiting TQF implementation bodies from involving deputies, judges, prosecutors, lawyers, priests and authorized representatives of officially registered religious associations into secret cooperation on the basis of contracts (17-m)"<sup>5</sup> such rules are stated.

*Kyrgyz Republic*In the law "On rapid search activities": "with the consent of natural persons, it is necessary to prepare and assist in conducting rapid search activities on the basis of a contract with the bodies that carry out rapid search activities, while maintaining the secrecy of cooperation, to prepare for rapid search activities of these persons and to keep the information known to them secret during the transfer and not to knowingly give false information to the TQF bodies, persons of adult legal capacity, regardless of the citizenship, nationality, gender, property and social status, education, membership of public associations, religious and political beliefs of the TQF implementing bodies the conclusion of contracts with, prohibition of the involvement of deputies, judges, prosecutors, lawyers, priests and authorized representatives of officially registered religious associations in secret cooperation on the basis of contracts to the bodies implementing TQF (20-m)"<sup>6</sup> it was found out that the provisions are the same as the Russian Federation TQF law.

*Republic of Azerbaijan* In the law "On rapid search activity": "officials of the state bodies of the Republic of Azerbaijan and local self-government bodies shall assist the subjects of rapid search activity, every person on the territory of the Republic of Azerbaijan shall assist the

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<sup>4</sup> Law of the Republic of Kazakhstan dated September 15, 1994 No. 13 "On operational-search activity" // Electron manba: <https://online.zakon.kz>. (murojaat vaqti: 03/18/2023).

<sup>5</sup> Federal Law of the Russian Federation dated August 12, 1995 No. 144-FZ "On operational-search activity" // Electron manba: <http://www.Consultant.ru> (murojaat vaqti: 03/18/2023).

<sup>6</sup> Law of the Kyrgyz Republic dated October 16, 1998 No. 131 "On operational-search activity" // Electron manba:<http://cbd.minjust.gov.kg/> (application time: 18.03.2023).

subject of rapid search activity in the exercise of his authority, any that a person is not necessarily involved in the TQF, failure to fulfill the legal requirements of the officials of the subjects of the operational search activity or obstruction to them is the reason for the responsibility provided for in the legislation of the Republic of Azerbaijan (9-m)"<sup>7</sup> the rules are stated in the content.

*Lithuania Republic Sining* In the law "On rapid activity": "fast activity is carried out on the basis of the voluntary consent of individuals, secret cooperation, and when such cooperation is active, it is encouraged with a monetary reward (paragraph 14); secret participants of fast activity are employees of fast activity entities belonging to the subject of rapid activity, as well as adult persons who have concluded written agreements on secret cooperation with subjects of operational activity or verbal agreements on secret cooperation with employees of operational subjects, non-conclusion of oral and written contracts by subjects and employees of TQF with persons who cannot fulfill the obligation to follow the rules of confidentiality, secret cooperation The procedure and conditions for concluding oral agreements on, the procedure, conditions and standard forms for concluding written agreements on confidential cooperation shall be determined by the main bodies of operational entities, employees of operational entities, operational activities performing the duties of its subjects and, according to legend, working in other enterprises, institutions or organizations, and for this they receive a salary or other money prescribed by law, an undisclosed participant of operative activity is under the protection of the state, and the information about their identity constitutes a state secret, undisclosed participants of operative activity and in the event of a threat to the life, health, or property of their family members, the subjects of operational activity take the necessary measures to ensure the safety of these persons based on laws and other legal documents, complaints about written contracts on secret cooperation by the subject of operational activity or verbal agreements on secret cooperation with individuals, operational activity to be considered by the heads of its subjects, and such appeals will be considered within 30 days from the time of receipt of the complaint (15-m); According to the presentation of the authorized prosecutor, the use of the method of use of assisting persons is carried out in the places (objects) determined by the sanction of the court (16-m)"<sup>8</sup> the rules of the content are explained.

*Republic of Tajikistan* In the law "On rapid search activities": "with the consent of individual persons, to assist the bodies that carry out rapid search activities, to prepare and conduct rapid search activities on the basis of a contract, while maintaining the secrecy of cooperation, these persons are to prepare for rapid search activities and carry it out to keep the information known to them secret during the transfer and not to knowingly give false information to the TQF bodies, regardless of the citizenship, nationality, gender, language, religion, political belief, education, social and property status, position, membership of the public associations of the TQF implementing bodies, conclusion of contracts with able-bodied persons in the implementation of TQF, prohibition of involving deputies, judges, prosecutors, lawyers in confidential cooperation on the basis of contracts to bodies implementing TQF (17-

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<sup>7</sup> Law of the Republic of Azerbaijan dated October 28, 1999 No. 728-IG "On operational-search activity" // Electron manba: <https://www.legal-tools.org/doc/7871f5/pdf/> (application time: 18.03.2023).

<sup>8</sup> Law of the Republic of Lithuania dated June 20, 2002 No. IX-965 Vilnius "On Operational Activities" // Electron manba: <https://e-seimas.lrs.lt/> (murojaat vakti: 18.03.2023).

m)<sup>9</sup> it turned out that the provisions in the content are almost identical in content to the TQF law of the Russian Federation and the Kyrgyz Republic

*Republic of Moldova* In the law "On special search activity": "regardless of the form of ownership, individuals and legal entities may voluntarily provide the information requested by them, movable and immovable property, other items and documents necessary for conducting special search activities to specialized units. legal entities providing postal and electronic communication services must provide the necessary equipment and technical equipment for the implementation of special search activities by specialized units, as well as take measures to maintain the confidentiality of the content, method and tactics of these activities" (16-m)<sup>10</sup> such rules are established.

*Belarus Republic* In the Law "On Emergency Search Activities": "Citizens' assistance to bodies carrying out emergency-search activities shall be carried out in accordance with this law and other legal documents, bodies implementing TQF shall conduct emergency-search activities on the basis of secret cooperation in accordance with this law and other legal documents. To attract citizens to prepare and (or) to assist in their participation, TQF implementation bodies, with the exception of customs authorities, adults regardless of citizenship, nationality, gender, property, social status, religious and political beliefs, education, membership of public associations involvement of citizens in secret cooperation; the procedure for concluding a contract, its model form is determined by the Ministry of Internal Affairs, the State Security Committee, the State Border Committee, the security service of the President of the Republic of Belarus, the operational-analytical center under the President of the Republic of Belarus, the State Control Committee, the Ministry of Defense, the deputy to the bodies implementing the TQF on the contract, it is prohibited to involve a judge, prosecutor, investigator, lawyer, priest and authorized representatives of religious organizations (51-m); Citizens who are involved in preparing for and participating in search and rescue operations by the body implementing TQF are guaranteed legal protection in accordance with this law and other legal documents, and citizens who secretly assisted or are assisting TQF implementing bodies are subject to social and legal protection in accordance with this law and other legal documents. ensuring protection, security, including guaranteeing the application of security measures (52-m)<sup>11</sup> the fact that such rules are taken into account means that the citizens who assist in the implementation of the TCF under this law will be protected from the social and legal point of view.

*of the Republic of Uzbekistan* In the law "On quick search activity": "The persons assisting the bodies implementing TQF are under state protection, the persons assisting TQF implementing bodies will be awarded the specified amounts from the funds allocated for the operational search activities, if there is a real threat to the life, health or property of the persons assisting TQF implementing bodies, as well as their family members in the event that the bodies implementing TQF take one of the special protective measures in relation to this person in accordance with the procedure established by the Cabinet of Ministers of the Republic of

<sup>9</sup> Law of the Republic of Tajikistan dated March 25, 2011 No. 687 "On operational-search activity" // Electron manba: <http://www.ncz.tj/content> (application time: 18.03.2023).

<sup>10</sup> Law of the Republic of Moldova dated March 29, 2012 No. 59 "On special investigative activities" // Electron manba: <https://base.spininform.ru> (murozhaat vaqti: 18.03.2023).

<sup>11</sup> Law of the Republic of Belarus dated July 15, 2015 No. 307-Z "On operational-investigative activities" // Electron manba: <https://base.spininform.ru/> (application time: 18.03.2023).

Uzbekistan, the person assisting the bodies implementing TQF is disabled in connection with the participation in conducting rapid-search activities, which leads to the loss of his ability to work and in the case of disability, a lump-sum allowance will be paid to this person in accordance with the law and a disability pension will be awarded, the person assisting the TQF implementing bodies will participate in the search operation in case of death in connection with the death of the deceased, a one-time allowance is paid to the deceased's family member and a dependent person in accordance with the law, a pension is awarded in connection with the loss of a breadwinner, a person who assists the bodies implementing TQF, who is included in the organized criminal group, criminal association in order to expose them in the manner prescribed by law Exemption from criminal responsibility for an illegal act in case there is a situation that excludes the criminality of the act (24-m)<sup>12</sup>cabals are set.

10 studied countries based on the study of the norms for working with persons assisting in the rapid search activities provided for in the content of the articles of the Law "On Rapid Search Activities" *first of all* the names of the Law on TQF of Ukraine (11th) and Uzbekistan (23rd) "A person who helps TQF" Kazakhstan (13th), Russia (17th), Kyrgyzstan (20th), Tajikistan (17th) and Belarus (51st, 52nd) according to the law on TCF. *A citizen who helps TCF*" you hum used; *secondly*, According to the TQF Law of Azerbaijan, officials of state bodies and local self-government bodies should assist the subjects of operational search activities; *third, Lithuania according* to the law it is stipulated that TQF subjects and employees will not enter into oral and written contracts with persons who cannot fulfill the obligation to comply with the confidentiality rule.

Based on the above analysis, it is proposed to replace the terms "persons" and "person" with the terms "citizens" and "citizen" in accordance with Article 23 of the Law of the Republic of Uzbekistan "On Quick Search Activities".

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<sup>12</sup> Law of the Republic of Uzbekistan No. 344 of December 25, 2012 "On Quick Search Activities" // Electronic source: <https://lex.uz/> (application time: 18.03.2023).



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