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## Genesis of Counterintelligence Activities of Border Authorities and Units of Ukraine

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■ **Abstract.** The relevance of the study is conditioned by the investigation and delineation of counterintelligence powers of border authorities and units of Ukraine in different historical periods, determining the areas of their development. The paper is devoted to the study of historical aspects of the development of counterintelligence activities of border agencies, and national and state security bodies on the territory of Ukraine, in particular, the history of transformation of the relevant units and their powers. It is noted that the study of the history of the establishment and functioning of national special services is of practical importance and can become relevant when adjusting the national security strategy. The purpose of the study is to analyse the historical aspects of the development of counterintelligence activities and counterintelligence measures by border authorities and units on the territory of Ukraine in light of retrospective changes in national special services. The methodology of scientific research included a set of interrelated general scientific and historical and legal methods, namely: chronological – to periodise the development of counterintelligence authorities and units of national special services, and the border guard service; comparative legal analysis – a comparative approach to the past and modern legislation, which determines the authority to carry out counterintelligence activities or conduct counterintelligence measures; structural and functional – to classify the threat system, which is carried out by active measures of the main enemy. Features of the legal status of border authorities and divisions of Ukraine in different historical periods are highlighted. It is indicated on the main counterintelligence methods (measures) that were carried out by authorised state bodies and units, namely: the legendary method of capturing prisoners to be interrogated, first mentioned in the annals of the Kievan Rus and conducted mainly during military campaigns; perlustration (interception) of correspondence and external surveillance, their conduct is most characteristic of the period of the Russian occupation; agent measures, during the first liberation competitions, were consolidated in the legal field by the relevant provision, which specifies the main functions of the army special service of the Ukrainian People's Republic; operational surveillance, legend and operational disinformation (used by both the security service of the organisation of Ukrainian nationalists and Soviet state security agencies). Based on the studies by Ukrainian and foreign researchers, a classification of “active measures” that can be carried out by the aggressor state is presented. The areas of development of the powers of bodies and divisions of the State Border Guard Service of Ukraine to conduct counterintelligence activities are determined

■ **Keywords:** counterintelligence; active measures; national special service; agency event; legending; operative observation; Border troops of Ukraine; State Border Service of Ukraine

### ■ Introduction

Nowadays, the relevance of studying the genesis of counterintelligence activities by border authorities and units of Ukraine is conditioned by the need for

critical use of historical experience to improve the forms and methods (measures) of counterintelligence activities of the security and defence sector of Ukraine, including the State Border Guard Service of Ukraine.

The importance of investigating the history of transformation of the relevant state bodies and their powers is determined by many factors, in particular: the importance of historical experience for professional training and patriotic education of employees of the border authorities of Ukraine authorised to carry out counterintelligence activities.

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Scientific substantiation of the priorities of organisational and legal support for the activities of the State Border Guard Service of Ukraine regarding the conduct of counterintelligence activities is impossible without investigating and considering the historical aspects of the development of organisational and regulatory bases of counterintelligence activities of border authorities, and national special services on the territory of Ukraine. Relevant here is the statement of one of the founders and directors of the Central Intelligence Agency of the United States of America, Allen Dulles, who believed that the best method of mastering the specialty is "analysis of historical precedents".

Before proceeding to the study of the historical development of counterintelligence activities of border authorities, it should be noted that the difference between such fundamental categories as measure and method, considering the retrospective, is somewhat unclear and it is advisable to identify them until the moment of historical stages when counterintelligence activities acquire clear outlines and its regulatory consolidation occurs at least at the internal level of the relevant state bodies of Ukraine. At the same time, the authors of this study fully agree with the conclusion obtained by O.V. Kozhelyanko [1], who notes that the method of counterintelligence activities is implemented in practice by carrying out a set of measures and is a broader concept in content.

The analysis of available papers on the historical development of national special services and their powers has shown that this issue has been comprehensively studied in Ukrainian legal science. At the same time, Ukrainian and foreign researchers have not sufficiently disclosed the genesis of the implementation of counterintelligence activities and the conduct of counterintelligence measures by border authorities and units on the territory of Ukraine.

In the course of analysing the results of research in this area, it was established that certain issues of counterintelligence search are covered by V.V. Polovnikov, V.O. Beletsky & Yu.A. Overchenko [2] in the research of the criminological profile of a person who committed high treason. In their study, researchers have formed a typical profile of such individuals, which will narrow the search for factual information about the intelligence and subversive activities of the special services of foreign states and will contribute to the interests of criminal proceedings, and obtaining information in the interests of the security of citizens, society, and the state [2]. The issue of profiling was also considered by S.I. Halimon, V.V. Polovnikov & P.P. Volynets [3] in the study of the socio-psychological profile of a person who confidentially provides assistance to an operational unit. The profile was created based on an analysis of the results of a survey of operational employees who have experience in cooperation with confidential informants, the characteristic

features inherent in confidential informants of the State Border Guard Service of Ukraine were identified and summarised [3]. A. Krzak [4] presented a theoretical and, at the same time, doctrinal approach to the phenomenon of such a counterintelligence measure as operational disinformation. Referring to Soviet counterintelligence agents, the author claims that the main disinformation techniques developed in the early 1920s were successfully applied during the Cold War. Many techniques have evolved, and despite the technological revolution, misinformation has not been abandoned, but, on the contrary, its importance has increased, and it has become the most important measure used in operational practice. Analysing the methodological aspect of disinformation, it is quite clear that virtually no game or operational combination of Soviet intelligence and counterintelligence could have taken place without one of the many types of disinformation. Therefore, A. Krzak [4] concludes that disinformation was and remains one of the universal paradigms of Soviet operational work and its Russian heirs – intelligence and counterintelligence. S. Hosaka [5] notes that active measures, commonly known as Soviet operations of external influence, were a concept and practice in which offensive counterintelligence essentially served as foreign intelligence. In the 1960s, counterintelligence officers of the Soviet Union's State Security Committee were called upon to take active measures, instead of passive surveillance, by selecting, studying, and recruiting foreign visitors and Soviet citizens, with the aim of using them to infiltrate Western institutions and collect confidential information. The counterintelligence department occasionally oversaw foreign operations in order to introduce offensive tactics. Given the parallels between the Soviet and Russian special services, the latter continue the practice of active measures [5]. O. Bertelsen [6] highlights Soviet active measures aimed at concealing the scale and consequences of the Chornobyl disaster, which had the opposite effect to what was expected and helped American intelligence accurately predict a potential political crisis in the Soviet Union, aggravated by cover-up operations and state violence. U.S. analysts argued that public concern about the violent nature of the Soviet regime and discriminatory conscription and decontamination policies would continue, exacerbating ethnic tensions in the Soviet republics. Looking back, their analysis had deep predictive value [6]. D.V. Gioe, R. Loving, & T. Pachesny [7] point to an imbalance in scientific research that has distorted the academic understanding of active activities, considering them in terms of goal (or sacrifice).

Thus, these researchers consider one of the techniques of counterintelligence search – profiling, counterintelligence – operational disinformation, and active measures. The main problematic issue that has not been resolved remains the discussion about the

expediency of the existing counterintelligence powers of the relevant bodies and divisions of the State Border Guard Service of Ukraine, and the expansion of these powers from the level of the subject of counterintelligence measures to the subject of counterintelligence activities. In addition, the classification of active activities needs to be supplemented.

The scientific originality of this study is conditioned by the fact that the following counterintelligence measures were established most characteristic of the considered historical periods: perustration of correspondence, external surveillance, agent measures, operational surveillance, legend and operational misinformation. The author's classification of active measures is provided. In addition, it was found out that the functions of the State Border Guard Service of Ukraine cannot be implemented without powers in the field of counterintelligence.

*The purpose and objectives of the study* are to conduct a retrospective analysis of the powers of border authorities and divisions, and national special services in the counterintelligence sphere on the territory of Ukraine.

## ■ Materials and Methods

The methodological basis of the research was the principles of objectivity, scientific nature, consistency, and historicism. General scientific research methods (analysis, synthesis, and comparison) allowed revealing the content and components of modern Ukrainian historiographic studies of the history of counterintelligence activities by border authorities and divisions, by National Special Services in the counterintelligence sphere on the territory of Ukraine. Methods of historical science (periodisation, historical and comparative, historical and system) contributed to the disclosure of the relevant powers of the mentioned state bodies, and to the definition of the main types of counterintelligence measures in the general context of studying the counterintelligence history of Ukraine.

The chronological boundaries of the study are determined by the first references to the conduct of counterintelligence (intelligence) activities in the Kievan Rus and Cossack period (9<sup>th</sup>-18<sup>th</sup> centuries) – from the beginning of the creation and operation of Ukrainian border bodies and units, and national special services for the period of modern Ukraine. The choice of the lower limit of research of the historiographical process is associated with the rapid growth of scientific and public interest in the previous experience of conducting counterintelligence activities on the territory of Ukraine. The upper limit allows revealing the features of the current stage of development of scientific knowledge on the history of counterintelligence activities of relevant state bodies on the territory of Ukraine.

The theoretical basis of the study consists of the studies by Ukrainian and foreign researchers in terms of retrospective identification of such fundamental categories as “measure” and “method”, the main types of counterintelligence measures that were carried out in certain historical periods, the provisions of the legislation of Ukraine regarding the powers of border authorities and divisions, and national special services of Ukraine.

## ■ Results and Discussion

It is advisable to investigate the genesis of counterintelligence activities and counterintelligence measures by authorised units of the State Border Guard Service on the territory of modern Ukraine in the plane of historical and political progress of our society, including retrospective changes in national special services and border authorities and divisions. Having analysed the state of development of these aspects, it is appropriate to agree with such researchers as V.S. Sidak, T.V. Vronska, & O.V. Skrypnyk [8], who clearly defined, in the multi-volume scientific publication “Special services of Ukraine from ancient times to the present”, historical periods of research: the Kievan Rus, Cossack Ukraine, wars of national liberation of 1917-1921, special service of the State Centre of the Ukrainian People's Republic in exile, intelligence and counterintelligence of the Organisation of Ukrainian Nationalists and the Ukrainian Insurgent Army, special services during the recent history of Ukraine. The period of activity of Soviet special services on the territory of Ukraine in this publication, which is prepared and published under the auspices of the National Academy of Sciences of Ukraine, the Institute of History of Ukraine, and the National Academy of Security Service of Ukraine, is considered from the standpoint of the fact that it was another state – the Union of Soviet Socialist Republics, and Ukrainian counterintelligence units at that time worked in the interests of the Soviet Union [8]. Considering the best practices of these researchers, seven periods of establishment of national special services can be distinguished.

### *Kievan Rus and Cossack period (9<sup>th</sup>-18<sup>th</sup> century).*

The secret activities of this period included both intelligence and counterintelligence, and were closely related to military intelligence and military operations. The middle ages are not characterised by an organised and purposeful structure of counterintelligence, which operated constantly and systematically, as is happening in modern time. The need to counteract the intelligence of foreign countries arose from the moment of the establishment of bodies and divisions of their special services. Therefore, the very term “counterintelligence” in relation to the times of the Kievan Rus and the era of the Ukrainian Cossacks is very conditional [9]. The chronicles indicate that the

military leaders of Kievan Rus used the method of capturing prisoners to be interrogated during a military campaign, which may indicate the actual origin of the agent method in the activities of special services (their analogues at that time) [9]. According to O.S. Peliukh [9], the capture of prisoners to be interrogated has led to the use of methods and techniques for extracting information about the state of combat readiness of the enemy army, its number, weapons, and plans for an offensive or defence. Moreover, the use of methods of collecting information in those days during military operations during the appanage fragmentation of the Kyivan Rus in the 12<sup>th</sup> century [9].

During the time of the Ukrainian Cossacks and the Zaporozhian Sich, the introduction of agents into the environment of representatives of various social strata and groups of the population, nationalities, and faiths was effectively used. There was also a reversal of agents from other countries [9].

In addition, O.S. Peliukh [9] notes that: “during the reign of Hetman Bohdan Khmelnytskyi, it was possible to create an agent network in Warsaw and the capital of the Grand Duchy of Lithuania, which delivered the necessary information of both political and military nature on time. Using the counterintelligence service, B. Khmelnytskyi began using disinformation to introduce self-doubt and panic in the enemy army. In his universals to the population and instructions, the Hetman insisted on the need to create moods of doom, tension, and uncertainty among the enemy. Thus, for the first time in the practice of Ukrainian operational art, disinformation was used for the purpose of beneficial psychological influence on the enemy. Such methods were used during the battles of Korsun, Pylyavtsi, and Berestechko. The art of capturing prisoners to be interrogated was further developed to extract the necessary information from prisoners from an enemy camp. The Cossack art of capturing prisoners, as noted in those days, was one of the best in Europe” [9].

The analysis of the identified sources describing the National Liberation War of 1648-1657 gives grounds to assert that the Hetman, the General Military Chancellery, as the highest state military and administrative institution [10], and other authorities paid great attention to the secrecy of military and political plans, successfully opposed the measures of foreign intelligence and began the process of formation of counterintelligence bodies in the Ukrainian state.

In the 1650s, control over intelligence and counterintelligence was carried out by the General Military Chancellery, which was headed by Ivan Vyhovskyi. The latter turned this state body into an effective bureaucratic institution. The General Chancellery was essentially the Ministry of Foreign Affairs and at the same time – internal ones. Military and political information was received here from all over Ukraine and

foreign countries, numerous embassies were taken and sent there, important decisions were made that, along with military victories, determined the fate of Ukraine.

At the same time, there is no documentary evidence of the functioning of a clearly defined, separate intelligence or counterintelligence agency in Ukraine during the Liberation War under the leadership of Khmelnytskyi. The study suggests that the highest and operational and tactical management of the work of intelligence and counterintelligence was carried out by the relevant management bodies and troops, the command of the Ukrainian state: the Hetman as the head of state and the supreme commander-in-chief, the General Military Chancellery as the highest level of the state apparatus, the regimental and hundred petty officers.

V.S. Sidak [11] points out the existence during the reign of Khmelnytskyi of the following leading bodies and divisions that conducted activities in the field of intelligence or counterintelligence and carried out appropriate measures, namely:

- Cossack intelligence and patrol service (protected the borders of Ukraine, prevented their violation);
- intelligence service (engaged in military intelligence, organised the work of intelligence residencies on the territory of the enemy and the personal intelligence network of the Hetman, collected confidential information under the legendary cover of Cossack diplomacy);
- counterintelligence service (carried out the fight against attempts on the state system, exposing spies and intelligence and subversive activities of the enemy, ensured the secrecy of troops and political events, personal inviolability of senior officials, and counteracted subversive propaganda).

Since the above-mentioned divisions were not clearly structured, their powers were determined more by separate instructions of the general office than by well-established regulations, so, in addition, they were jointly or separately, organised:

- intelligence and subversive activities (measures to disable enemy command and control personnel, strategic and tactical objects, means of armed struggle of the enemy, sources of its combat and material supplies);
- rebel movement on enemy territory (sent Cossack detachments for conducting riots, scouts-instructors to the rebels, to help create rebel formations and coordinate their activities, expand the regions controlled by the rebels) [11].

***The period of Russian and Soviet occupation (18<sup>th</sup>-20<sup>th</sup> centuries).*** It remains indisputable that during the Russian or Soviet occupation, in the service of the Imperial state security agencies, the enemy actually used the abilities and skills of the best representatives of the Ukrainian people to their advantage, motivating them, on the one hand, with the help of



repression, and on the other, by granting privileges and freedoms.

To some extent, this involves counterintelligence activities in the time of Peter the Great in the part concerning the fight against espionage. Since the 18<sup>th</sup> century, this function of the state was entrusted to the quartermaster general service of the army. Initially, among the duties of this service was to study the terrain, organise the location and movement of troops, and hospitals, preparation of maps, fortifications, provision of rear infrastructure. Later, intelligence and counterintelligence activities, building bridges, keeping detailed records of battles and other responsibilities were added to them.

The predecessor of the counterintelligence agencies of the Russian Empire and the Soviet Union can safely be considered the Third Department of the political police and gendarmerie, which actively introduced such methods of counterintelligence activities as agent, combination, secret surveillance, and secret inspection.

V.M. Chysnikov [12] draws attention to the fact that one of the leaders of this state body, A.H. Benckendorf, noted the effectiveness of secret inspection of postal correspondence [12]. According to him: “perustration is one of the most important means to discover the truth, thus representing a way to stop evil at its very beginning; it also serves as an indicator of the public’s thoughts and way of thinking about modern events and various government measures and regulations”.

The methods used to combat political opponents, which were aimed at combating espionage, were perceived by the personnel of the Third Department as an unusual function for these units, due to their inefficiency in combating intelligence and subversive activities of opponents. Therefore, at the beginning of the 20<sup>th</sup> century, when the subversive activities of foreign intelligence agencies significantly intensified and began to be carried out on a professional basis, the political investigation bodies were unprepared for effective counteraction to the intelligence units of foreign states. The most ineffective was the so-called “provocateur” method, which consisted in inciting individuals to commit illegal actions and was usually used against political opponents, but in countering espionage it was not effective [9].

O.S. Peliukh [9] states that it is necessary to distinguish the “provocateur” method, which is now prohibited by law and is not used by special services and law enforcement agencies of Ukraine, from a combination that does not involve inciting a person to commit illegal activities, but embodies in its essence and content a hidden beneficial influence. At that time, the combination was mainly used to create conditions for the introduction of confidential sources into the sphere of activity of special services of foreign states. Not the full use of the potential of combination in practice and the preference for

provocation did not allow getting the maximum effect from these methods [9].

External surveillance is the most commonly used method of the third branch of the political police and gendarmerie. The significance of this method is evidenced by the fact that in 1902, the chairman of the Council of Ministers and the minister of internal affairs P.A. Stolypin adopted and approved a special “Instruction on external surveillance”, which testified to the establishment of the legal basis for counterintelligence activities at that time [9].

In 1911, counterintelligence departments were established on the basis of the “Regulations on counterintelligence departments”. These were the first counterintelligence agencies and units that began operating in the non-war period. In addition, the “Instruction of the head of the counterintelligence department” was approved. These regulations actually formed the legal basis of counterintelligence activities at that time. According to the Regulation, 10 counterintelligence departments were created, two of which carried out counterintelligence activities on the territory of modern Ukraine, in particular, in the Headquarters of the Kyiv and Odesa military districts [9].

At the same time, the study disagrees with O.S. Peliukh [9] in the part concerning the conclusion of the management of counterintelligence departments on the need to change the methods of their work from passive surveillance of “suspicious” persons to active offensive methods of counterintelligence activities, in particular, the introduction of agents into intelligence centres of foreign special services, their disinformation, and the beginning of operational games. The study suggests that in terms of the method of introducing agents widely used by the third branch, employees of counterintelligence departments changed only the object: political opponents to intelligence centres of foreign special services, and the method itself has not changed and they have not invented or implemented something new [9].

From 1917 to 1921, during the War of National Liberation, Ukrainian national counterintelligence bodies and units appeared, which had to be created from scratch. On January 22, 1918, the Ukrainian Central Rada adopted the Fourth Universal, which proclaimed the Ukrainian People’s Republic an independent and sovereign state. The process of forming security and defence bodies of Ukraine, including State Border Guard, has begun.

During 1918, the state borders of the Ukrainian People’s Republic were recognised by international agreements with all neighbouring states, and state entities that emerged against the background of the collapse of the Russian Empire.

On March 20, 1918, at a meeting of the government of the Ukrainian People’s Republic, it was decided to create a Separate Border Guard Corps.

The main tasks of a Separate Border Guard Corps were determined by:

- organisation of border protection by setting up special posts;
- control over the movement of persons across the border in the presence of relevant documents and counteraction to the illegal import (export) of goods, weapons, ammunition, etc.;
- detention of deserters and criminal elements;
- performing the duties of quarantine and police services at the border.

In the official activities of a Separate Border Guard Corps, priority was given to law enforcement, not counterintelligence activities, but the structure was built on a military model.

An administrative and political department was established under the Ministry of Internal Affairs of the Ukrainian People's Republic, which served as counterintelligence and had units under provincial and county commissars. Among the powers of the department were counterintelligence duties:

- countering the counter-revolutionary and anti-state movement;
- external surveillance of persons who were hostile to Ukrainian statehood;
- identification and elimination of counter-revolutionary uprisings.

From the research by A.V. Tymoshchuk [13], it is known that in the Ukrainian State of Hetman Skoropadskyi, state security was handled by the State Guard Department of the Ministry of Internal Affairs, namely the Informative Department (May – November 1918). Employees of this department paid attention to countering enemy intelligence, and the activities of Ukrainian opposition parties. For example, A.V. Tymoshchuk [13], in his study, notes the existence of two state bodies with parallel functions – the mentioned Informative Department of the State Guard Department and the Special Department of the Hetman's Headquarters, whose main tasks were intelligence and counterintelligence in the political sphere.

According to the historical data revealed by Yu.A. Mikhalyshyn [14], after the retreat of the German allies of Hetman Skoropadskyi and the uprising of the Ukrainian opposition, the Department of political information of the Ministry of Internal Affairs of the Ukrainian People's Republic was created (December 1919 – December 1920) [14], whose powers included:

- counteraction to anti-state activities of opponents of the Ukrainian People's Republic;
- counteraction to espionage;
- collecting data about the enemy and their troops;
- organisation of intelligence activities in countries that could become potential opponents or allies of the Ukrainian People's Republic.

Operational work in the department was carried out by two departments – domestic and foreign

information. The Department's structure included provincial and county political departments, which were mainly engaged in counterintelligence.

"Regulations on counterintelligence in the active army of the Ukrainian People's Republic" which appeared in August 1919, consolidated in the legal field the following main functions of the army special service:

- collecting information about enemy intelligence activities;
- obtaining information about specific intelligence and subversive actions of enemy agents on the territory of military operations and in the rear of an active army;
- active counteraction to enemy intelligence and counterintelligence activities in the areas of deployment of units of the army of the Ukrainian People's Republic, detention of enemy agents and their purposeful disinformation and direction on a false path;
- sending own agents to the enemy's rear to collect information about the work of its intelligence agencies.

According to V.S. Sidak [15], organisationally military counterintelligence existed as a structural element of the intelligence service of the active army of the Ukrainian People's Republic. The highest governing body of military counterintelligence was the Counterintelligence Department of the Intelligence Council of the Main Directorate of the General Staff of the Army of the Ukrainian People's Republic [15].

L.V. Borodich claims that during the Directory, in comparison with the period of the Ukrainian People's Republic and the Hetmanate, from the standpoint of forming law enforcement agencies, the government of the Ukrainian State actively attempted to create military intelligence and counterintelligence bodies, which was conditioned by objective circumstances and the situation on the fronts and in the rear of the country [16].

Yu.A. Mikhalyshyn [14] also recalls the West Ukrainian People's Republic, which had a national counterintelligence body – the State gendarmerie of the secretariat of internal affairs, and the Field gendarmerie of the Ukrainian Galician army, which performed the functions of military counterintelligence (November 1918 – November 1919) [14]. Military counterintelligence units worked at the level of corps and brigades and were subordinate to the Intelligence Department of the Supreme Command of the Ukrainian Galician Army. Professional detectives were directly involved in counterintelligence activities.

From 1922 to 1937, during the first Soviet occupation, the establishment and development of Soviet special services based on the Russian state security agency took place the All-Russian Emergency Commission for Combating Counter-Revolution and Sabotage, which was founded by Felix Edmundovich Dzerzhinsky in December 1917.

In December 1918, the Bolsheviks created the All-Ukrainian Emergency Commission, which included:

the legal department (carried out investigations and prepared cases for transfer to the revolutionary tribunal); the Department of foreign control (fought against the activities of agents of foreign states); the operational department (carried out the prevention, suppression and detection of crimes primarily of political opponents). From 1918 to 1922, the Bolsheviks repeatedly reformed the Emergency Commission in Ukraine, created regional bodies and divisions, and also tried to achieve its maximum centralisation. Since May 1919, the Emergency Commission has become part of the People's Commissariat for Internal Affairs [17].

After the abolition of the Emergency Commission, in the period from 1922 to 1924, the state political administration operated under the People's Commissariat for Internal Affairs of the Ukrainian Socialist Soviet republic. The tasks of this special service of the Bolsheviks included: the prevention and suppression of open counter-revolutionary actions, both economic and political; the fight against banditry and armed uprisings; the disclosure of counter-revolutionary organisations and persons whose activities are aimed at undermining the economic life of the republic; the protection of state secrets and the fight against espionage in all its forms; the protection of railway and water routes, the fight against theft of goods and crimes aimed at destroying transport or reducing its legal capacity; the political protection of the borders of the republic, the fight against economic and political smuggling and illegal border crossing; the implementation of special tasks for the protection of the counter-revolutionary order [17].

In 1924, the process of merging the state security bodies and internal affairs bodies began, when the Bolsheviks expanded the powers of political departments, subordinating them in operational terms to local police and criminal investigation bodies, and later removed them from the People's Commissariat for Internal Affairs. In July 1934, the political administration bodies again became part of the People's Commissariat for Internal Affairs [17].

The study suggests that such inconsistent actions of the Bolsheviks, in relation to the unification of state security and internal affairs bodies, were dictated by a "request for repression" against their own people, on the part of their criminalised ruling elite, and the separation reflected the fear of this elite before usurpation of power in the hands of the leadership of such a united state body.

Border units, during 1937-1939, operated as part of the Main directorate of border and internal troops of the People's Commissariat for Internal Affairs of the former Soviet Union, and from February 1939 were separated into a new body of the People's Commissariat for Internal Affairs: the Main directorate of border troops. Before that, in 1918, border guards were part of the People's Commissariat for

Finance, in 1919 – the People's Commissariat for Trade and Industry, in October 1922, the Ukrainian border district of the State political administration was formed with the centre in the city of Vinnytsia, from July 1934, the border troops were led by the Main Department of Border and Internal Security of the People's Commissariat of Internal Affairs of the Former Soviet Union [17; 18].

From 1938 to 1950, during the second war of national liberation, the special body of counterintelligence protection was the Security Service of the Organisation of Ukrainian Nationalists, which was assigned the following tasks:

- identification and elimination of agents introduced by Soviet special services to the Underground of the Ukrainian Insurgent Army;
- creation of agent positions in Soviet partisan detachments;
- training of agents for introduction to the Soviet authorities, state security and police.

As D.V. Vedeneyev [19] notes, the Security Service staff carried out counterintelligence support for secret communication lines. All military personnel, regardless of their official position, were obliged to cooperate with the Security Service, and commanders and guides who received new members of the Ukrainian Insurgent Army without first checking them by the Security Service were equated with "obvious enemies" [19].

According to D.V. Vedeneyev [19]: "The network of Security Service bodies was built in accordance with the structure of the military-administrative division of the Ukrainian Insurgent Army. The commandant of the rear was subject to the reference of the Security Service, the latter – references of military regions, military super-districts, and districts. Attempts were made to introduce a certain staffing table of reference centers of the Security Service of military-territorial units. To perform counterintelligence functions, "counterintelligence agents" were used, which were introduced and selected at all independent combat units, support units and headquarters at the rate of one operational source per swarm (8-10 military personnel)" [19].

It is interesting that to train its personnel, the Security Service of the Organisation of Ukrainian Nationalists used the experience of counterintelligence activities of foreign special services, primarily the experience of Soviet counterintelligence agencies, as the main likely enemy.

From 1951 to 1990, during the second Soviet occupation, the border troops, until 1953, were under the jurisdiction of the Ministry of State security, during 1953-1957 – the Ministry of Internal Affairs of the former Soviet Union. In 1957, the Main Directorate of border troops was established as part of the State Security Committee of the former Soviet

Union [20]. The Soviet period, as part of state security agencies, from 1957 to 1991, was a time for border guards to form a stable and reliable system of state border protection using appropriate technical means. In addition, authorised full-time employees of the border detachment had the right to carry out intelligence and counterintelligence activities.

At this time, the structure of counterintelligence bodies, forms, and methods of their activities were improved in accordance with the development of the operational situation associated with changes in the priorities and directions of special services of foreign states. Among the operational methods used by the Soviet state security agencies in Ukraine, the following can be distinguished: operational surveillance, deprivation of foreign intelligence officers of access to intelligence facilities, operational experiment, operational modelling, legend, operational disinformation [21].

In addition, during this period, special operations, so-called “active measures”, aimed at influencing the policies of other states using measures other than espionage or counterintelligence, were widely used [22].

Despite practical activities to counteract “active measures”, the very concept of “active measures” still does not have a clear outline. At the same time, D.V. Dubov, A.V. Barovska, T.A. Isakova, I.A. Koval & V.P. Horbulin [22] formulated its definition, acceptable for the needs of practical use in modern, in particular Ukrainian, realities and a general assessment of the potential of modern “active measures” of the aggressor state. “Active measures” – is an activity aimed at achieving the foreign and internal political goals of the state – subject of influence, implemented with the aim of negatively influencing public opinion in the state – object of influence, changing the activities and policies of its government and undermining confidence in its political leaders and institutions, and disorienting world public opinion in assessing the activities of the state – object of influence. Negative impact means, first of all, setting the population against the current government, its institutions and the efforts that they make in the sphere of economy, diplomacy, and military affairs [22].

Current forms of active measures are largely based on models already known and described in the past. A historical perspective can help assess and identify their hidden mechanisms. The current aggressive actions of the Russian special services are improved versions of the old ones, to which new information and communication technologies have contributed.

Based on the analytical report “Active Measures” of the USSR against the United States: a prologue to hybrid warfare” by the author from the National Institute for Strategic Studies [22] and the scheme by S. Whittle [23], the study identified the main “active measures” that can be carried out by the aggressor state, and also classified them as follows:

Classic active measures:

- conducting disinformation (posting materials in the press, social networks; forgery of documents; illegal radio and television broadcasting, using various internet services);

- use/creation of “fraternal organisations”, friendship and peace communities, foundations, social movements, and cover structures (organisations) ;

- initiation of mass events (demonstrations).

Operations of political and economic influence:

- use/recruitment of agents of influence (journalists, politicians, businessmen, oligarchs);

- use/creation of mass media, financial and economic structures, oligarchic clans that are not provided for by law by paramilitary or armed groups;

- support for diametrically opposed political parties, such as the left and far-right, in order to disperse the political elite and create conflicts in the power structures of other states;

- incorporation of personnel into non-governmental organisations that are part of international organisations;

- restriction/blocking of receipt by other states of foreign aid, the status of members of international associations of a political, military, or economic nature;

- creation of economic ties that are beneficial for foreign companies and opportunities for them to receive super-profits, including through “flexible” compliance with licensing and tax norms of the legislation of the aggressor state;

- situational (special) activities (misleading, blackmail, intimidation, murder, terrorist attacks).

Confrontation in the field of education, science, culture, sports, and religion:

- creation/use of educational institutions, scientific communities, cultural societies and centres, art, sports, religious organisations, and related events;

- use/recruitment of agents of influence (employees of educational institutions, scientists, cultural figures, artists, athletes, priests);

- spreading the idea of alternative civilisational development of society, the true essence of which is to appropriate the achievements of other peoples and states, and to seize their territories or take control of political elites and power structures.

Given that the “active measures” of the Russian Federation make up most of its hybrid actions, the ability of Ukraine’s counterintelligence and intelligence agencies to respond to these actions should be significantly increased. This applies not only to increasing economic and technical resources, but also to strengthening the educational and regulatory component [22].

**The period of the modern Ukraine.** Since 1991, the establishment and development of the State Border Guard Service of Ukraine has been associated with democratic processes, defending sovereignty, territorial integrity, and democratic constitutional order



and other important national interests from real and potential threats.

The current State Border Guard Service is the legal successor of the State committee for the protection of the state border of Ukraine and was created based on the border troops of Ukraine, which inherited the Soviet structure and had in its composition an intelligence body that carried out intelligence activities to ensure the interests of the state in the areas of border and immigration policy, and in other areas related to the protection of the state border and sovereign rights of Ukraine in its exclusive (maritime) economic zone and on the continental shelf [24]. The intelligence body of the border troops of Ukraine carried out counterintelligence activities guided by internal laws and regulations, and, only in 2002, counterintelligence activities were consolidated at the legislative level by the adoption of the Law of Ukraine "On Counterintelligence Activities" [25].

In 2016, the right to conduct separate counterintelligence measures to ensure the security of certain objects of protection, receive units of internal and internal security of the State Border Guard Service of Ukraine, and in 2020, the legislator expanded the powers for all subjects of counterintelligence measures, removing the word "separate" from the law of Ukraine "On Counterintelligence Activities" [25].

Thus, the authorised bodies and divisions of the State Border Guard Service of Ukraine, in accordance with the current legislation [25-27] on the one hand, are integrated into the system of counterintelligence, search, regime, administrative and legal measures, and on the other, can only conduct counterintelligence measures in the interests of ensuring the protection of the national border of Ukraine [25; 28].

The scientific originality of the results obtained lies in the fact that counterintelligence activities were an important and necessary part of the state during the considered historical periods of development of Ukraine, and in the light of the current hybrid threats of regional and global scale, counterintelligence becomes of particular importance for ensuring the national security of Ukraine, and the protection of the state border. Along with this, the border guard service, whose main function is precisely the protection of the state border, in one form or another, was often either part of a special service or a separate body with appropriate powers to carry out intelligence and counterintelligence activities.

## ■ Conclusions

The result of the study on the implementation of counterintelligence activities by authorised units of the State Border Guard Service on the territory of modern Ukraine in the plane of historical and political progress of our society, and the transformation

of national special services and border authorities and divisions, was the following conclusions:

1. The main counterintelligence methods (measures) that were used by the Ukrainian special services, and some of them by border guards, were the following: the legendary method of capturing prisoners to be interrogated, first mentioned in the Chronicles of Kievan Rus and carried out mainly during military campaigns; perlustration (interception) of correspondence and external surveillance, their conduct is most characteristic of the period of the Russian occupation; agent measures, during the first liberation competitions, were fixed in the legal field by the relevant provision, which specifies the main functions of the Army Special Service of the Ukrainian People's Republic; operational surveillance, legend and operational disinformation (used both by the security service of the Organisation of Ukrainian Nationalists and by Soviet state security agencies).

2. The special services of the aggressor country, in their paranoid pursuit of restoring world-class leadership, which is not aimed at improving the well-being of its own population, but only satisfies the boundless appetites of the Russian oligarchy (the main part of which are these special services), relied on the implementation of "updated Soviet active measures", as the main tool in the asymmetric confrontation with the West, the outpost and experimental platform of which Ukraine has become. Therefore, countering such forms of hybrid warfare should have the highest priority, first of all for state bodies and their units authorised to carry out counterintelligence and intelligence activities or carry out appropriate measures, including for the State Border Guard Service of Ukraine.

3. Studying the retrospective of counterintelligence activities and measures by authorised bodies and divisions of the State Border Guard Service of Ukraine, it was concluded that the functions and tasks inherent in border guards cannot be properly implemented and solved without powers in the field of counterintelligence and intelligence activities. From the time of Kievan Rus to the present day, the establishment of the Ukrainian Border Guard took place mainly, if not as part of special services, then in close cooperation with them.

Thus, the generalising conclusion is the fact that border guards occupy an important place in the national security system, being a kind of "filter" on the path of external threats, and it is quite natural that they have the right to carry out intelligence activities and conduct counterintelligence activities.

In the future, it is proposed to continue intelligence in order to find ways to improve the organisational and legal support for the activities of the State Border Guard Service of Ukraine to conduct counterintelligence activities at the internal level.

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## Генезис проведення контррозвідувальних заходів прикордонними органами та підрозділами України

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■ **Анотація.** Актуальність статті полягає в дослідженні повноважень контррозвідувального спрямування прикордонних органів і підрозділів України в різні історичні періоди, визначенні напрямів їх розвитку. Висвітлено історичні аспекти контррозвідувальної діяльності прикордонних органів, а також органів національної та державної безпеки на території України, зокрема трансформації відповідних підрозділів та їхніх повноважень. Наголошено, що результати вивчення історії становлення та функціонування національних спеціальних служб мають практичне значення, адже можуть бути використані під час коригування стратегії національної безпеки. Мета статті – проаналізувати історичні аспекти розвитку здійснення контррозвідувальної діяльності та проведення контррозвідувальних заходів прикордонними органами й підрозділами на території України у контексті ретроспективних змін національних спеціальних служб. Методологія наукового дослідження охоплює комплекс взаємопов'язаних загальнонаукових та історико-правових методів, а саме: хронологічний – для періодизації розвитку контррозвідувальних органів і підрозділів національних спеціальних служб, а також прикордонної служби; порівняльно-правовий аналіз – компаративістський підхід до минулого та сучасного законодавства, що визначає повноваження на здійснення контррозвідувальної діяльності чи проведення контррозвідувальних заходів; структурно-функціональний – щодо класифікації системи загроз з боку основного противника. Виокремлено особливості правового статусу прикордонних органів і підрозділів України в різні історичні періоди. Наведено ключові контррозвідувальні методи, які використовували уповноважені державні органи й підрозділи, а саме: легендарний метод захоплення «язиків», що вперше згадується в літописах Давньої Русі (до нього вдавалися переважно під час військових кампаній); перлюстрація (перехоплення) кореспонденції та зовнішнє спостереження (є найбільш характерним для періоду російської окупації); агентурні заходи (за часів перших визвольних змагань були закріплені в правовому полі відповідним положенням, у якому зазначено головні функції армійської спеціальної служби Української Народної Республіки); оперативне спостереження, легендування та оперативна дезінформація (їх активно використовували Служба безпеки Організації українських націоналістів та радянські органи державної безпеки). На підставі напрацювань українських і зарубіжних учених здійснено класифікацію «активних заходів», які можуть проводитись державою-агресором. Визначено напрями розвитку повноважень органів і підрозділів Державної прикордонної служби України щодо здійснення контррозвідувальної діяльності та проведення контррозвідувальних заходів

■ **Ключові слова:** контррозвідка; активні заходи; національна спеціальна служба; агентурний захід; легендування; оперативне спостереження; Прикордонні війська України; Державна прикордонна служба України