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LEGAL PROBLEMS OF IMPLEMENTATION OPERATIONAL ACTIVITIES IN UKRAINE

The key event in the life of our country was the adoption of Criminal Procedure Code of Ukraine in 2012 and its entry into force, which caused significant organizational and legal changes in law enforcement. Today legally operative-investigative activities, carried out under the new conditions. Significant changes in the legislative support to combat crimes are occurred last time; determine the relevance of research of legal principles of operational activities, including the using of certain features of law.

This article shows some aspects of legal support of operational activities and criminal procedure in Ukraine and finds the necessity of its improvement. It finds, that the legislator includes the availability of sufficient information, obtained in the manner prescribed by law, which requires verification using search operations and facilities, the crimes that are being prepared, as well as those who prepare crime to the grounds for operational activities. The presence of these bases operational unit starts the operational-search case, and then proceeds to conduct search operations. In all the same time there is criminal responsibility for the preparation of a crime other than a minor offense.

This means, that people, who prepare criminal offense, should attract criminal liability and crimes, which are prepared, must be investigated, except preparations for a minor offense.

The legal problem is that if in the evidence of preparation for a crime other than a minor offense is recorded in the collected materials, so operating unit must immediately send them to the appropriate pretrial investigation, which must to start and conduct pretrial investigations, making it impossible to implement operational-search activities. The author expressed his own vision about solving the problem and possible amendments to the legislation of Ukraine.

Keywords: criminal proceeding; criminal process; investigative activities; investigative case.