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Confidential Cooperation: Legal Aspect

Legal definition of confidential cooperation is a fairly new phenomenon in the criminal proceedings, as required detailed design of covert relations. Promoting public law enforcement agencies that carry out covert investigative (detective) an act characterized by a number of problems, which can require a deep understanding.

The system of regulation of covert investigative (detective) actions constitute legislative and subordinate legislation interdepartmental and departmental level. In such circumstances has repeatedly appealed attention in the scientific literature that regulation covert investigative (detective) actions «carried out by means of laws and regulations». The following feature inherent secret investigative (detective) actions, both should take into account that its existence is fully justified. The objective reason is that the NSRD no clear statutory procedural form, details of fact and methods of conducting a state secret, because they simply cannot fully settle in law.

The object of attention of experts immediately after the introduction of the system of pre-trial investigation institution covert investigative (detective) actions made by their state of legal software. Specifics of legal regulation of covert investigative (detective) actions is considerable detail the manner of their organization and rules of criminal procedural law, and that the basis of their regulation make

regulations varying legal force. Around the same time, as the analysis, a significant depth of legal regulation, established by the Criminal Procedure Code of Ukraine, the existence of regulations detailing procedures for covert investigative (detective) action at law level, did not prevent the occurrence of significant problems in the practical application of relevant legislation. The foregoing necessitates conducting research on the given direction.

This is dedicated to definition of legal regulation of confidential cooperation application by law enforcement during performance of covert investigating (search) activities with others and providing recommendations on specific areas of improvement of current legislation. Determined that basis for building such relations is to respect rights and freedoms of citizens, inability to exercise of any covert investigation (search) action and need to stimulate their positive activity for tasks of criminal proceedings, as well as system conditions and reasons that lead to efficiency help citizens in these actions.

Keywords: confidential cooperative operational, units of the National Police of Ukraine, legal basis.