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Features of the prosecutor's supervision over the execution of the laws on federal security, international relations and combating extremism

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Abstract

Author analyzes the features of the prosecutor's supervision over the execution of federal laws on security, international relations and countering extremism. Also the article determines characteristics of procuratorial supervision over the implementation of legislation in this area of oversight activities.

Keywords

Public prosecutor's supervision, the federal security, international relations, countering extremism, subject, object.

Introduction

Improving the efficiency of the fight against crime in the sphere of law enforcement on federal security, international relations and combating extremism is aimed at implementation of the constitutional rights and freedoms of

citizens, strengthening the legality in the country, establishing the rule of law, as well as improving the organization and functioning of the state executive authorities.

Problematics of prosecutorial supervision and control has been widely discussed in the scientific literature.

These issues are considered by A.P. Alekhin, D.P. Bachrach, Yu.M. Kozlov, N.M. Konin, L.L. Popov.

Prosecutorial supervision is a powerful tool to ensure legality. Skillful use of its opportunities presents highly effective means of preventing violations of the law as well.

Specificity of prosecutorial supervision over implementation of laws, including in the sphere of federal security, has been studied by A. Vinokurov¹, A. Sologubov², V. Solomichev³, A.A. Sumin⁴,

V. Klochkov⁵, N. Shumilov⁶ and other researchers.

Supervision exercised by prosecution agencies over the implementation of laws by federal departments and agencies, representative (legislative) and executive bodies

For the time being the system of legal regulation of the bodies responsible for enforcing laws on federal security, international relations and combating extremism represents a multilevel structure of legal regulations, characterized by the close relationship and interdependence. Legislation clearly defines the place of the bodies responsible for enforcing laws on federal security, international relations and combating extremism in the Russian security and governmental systems. Legal regulation of their activ-

- 1 Vinokurov, A. (2002), "Combating extremism by means of public prosecution" ["Bor'ba s ekstremizmom sredstvami prokurorskogo nadzora"], *Zakonnost'*, No. 11, pp. 33-36.
- 2 Sologubov, A.S. (2006), "History and legal nature of the prosecutor of the Russian Federation" ["Istoriya i pravovaya priroda prokuratury Rossiiskoi Federatsii"], *Pravo i zhizn'*, No. 96(6), pp. 201-227.
- 3 Solomichev, V.I. (1998), *Public prosecutor's supervision over the execution of laws by carrying out an inquiry and preliminary investigation* [Prokurorskii nadzor za ispolneniem zakonov organami, osushchestvlyayushchimi doznanie i predvaritel'noe sledstvie], Ekspertnoe byuro-M, Moscow, p. 34.
- 4 Sumin, A.A. (1999), *Public prosecutor supervising the investigation of crimes that infringe on the external security of the Russian Federation: research manual* [Prokurorskii nadzor za rassledovaniem prestuplenii, posyagayushchikh na vneshnyuyu bezopasnost' Rossiiskoi Federatsii: Nauchno-metodicheskoe posobie], Moscow, p. 5.

- 5 Klochkov, V. (1994), "Strengthening rule of law and prosecution functions" ["Stanovlenie pravovogo gosudarstva i funktsii prokuratury"], *Zakonnost'*, No. 6, p. 29.
- 6 Shumilov, N. (1995), "Public prosecutions – theatrical scenery on the stage of our secret services" ["Prokurorskii nadzor – teatral'naya dekoratsiya na stsene deyatelnosti nashikh spetssluzhb"], *Rossiiskaya yustitsiya*, No. 3, p. 26.

ity is characterized by the not full establishment of their competence de jure, including that competence, which affects the constitutional rights and freedoms of citizens, what can and should be made up for an adequate change in the regulations that govern their legal status.

It is rather difficult to achieve the necessary efficiency in the organization of prosecutorial supervision over implementation of laws on federal security, international relations and combating extremism, since the legal limit of prosecutorial oversight competence in this field implies a lack of completeness of the information and analytical framework that serves as a basis for planning surveillance activities and estimation of their results. Absence of complete data on the performance of public bodies makes it impossible for prosecutors to forecast recent developments in the sphere of public relations, which is notionally named as "implementation of laws on federal security, international relations and combating extremism". In turn, this situation causes a decrease in the effectiveness of the coordinating function of prosecutors in crime prevention. Harmonization of this situation is possible by issuing joint interagency regulations (General Prosecutor of the Russian Federation and public authorities to implement the laws on

federal security, international relations and combating extremism), that obliges public authorities to submit reports to the prosecuting authorities on key outcome indicators of investigative, operational and investigative and counterintelligence activities (except for indicators constituting a state secret and characterizing the state of undercover unit).

The content of general supervisory area for prosecutorial supervision over the implementation of laws on federal security, international relations and combating extremism is to supervise the execution of the Constitution of the Russian Federation, the execution of laws operating in the territory of the Russian Federation, the rights and freedoms of man and citizen observed by abovementioned authorities in terms of federal security laws, interethnic relations and combating extremism.

In Russia, at the moment there is no legal mechanism for implementing the most important, essential rules to provide the most efficient state control over execution of the laws on federal security, international relations and combating extremism. There are a large number of legal acts without unity to be necessary systematized.

The history of prosecutorial supervision indicates that the activities as-

sociated with the execution of federal laws on security, international relations and combating extremism was for a long time almost beyond the control of any government agency, being accountable directly to party leadership at the beginning of the RSFSR (the Russian Soviet Federated Socialist Republic), and then the Soviet Union. Thus, the Decree of the Central Executive Committee for October 28, 1918 No. 1 on REC (Russian Extraordinary Commission) included that the latter was a body of the Council of People's Commissars (CPC) and worked closely with commissariats for Domestic Affairs and Justice. Thus, formally the REC was subordinated to the SNK, but in fact there was no real mechanism for monitoring its activities by the government. The Constitution of the Russian Federation having been adopted the establishment of prosecutorial supervision as the unprecedented State Institute for Soviet Russia somewhat changed the situation. In accordance with Section 9 on the prosecutorial supervision in 1922⁷ the prosecutor's office was responsible for monitoring the activities of the SPD (State Political Directorate), but in fact this supervision was carried out in the

7 "Constitution (Fundamental Law) of RSFSR in 1918" ["Konstitutsiya (Osnovnoi Zakon) RSFSR 1918 goda"], *SU RSFSR*, 1919, No. 12, Art. 130.

truncated form, that resulted in above-mentioned bodies' violating the law system. At this historic stage a legislator was right ahead to completely withdraw the SPD from the prosecutor's supervision. Thus, according to the restricted part of the Central Executive Committee resolution on October 16, 1922, which was declared by the order of the SPD number 266 in 1922, the subject of prosecutorial supervision on "observing investigation and inquisitions in terms of political cases and espionage charges" was limited to "observing the SPD authorities' compliance with rules set forth in Art. 7 of the Central Executive Committee resolution from February 6, 1922". Further, the decision of the Central Executive Committee from October 16, 1922 stipulated: "In cases of all other crimes the implementation of prosecutorial supervision shall be confirmed in accordance with rights granted to it in full under the law with the following features only:

a) investigation of cases on the SPD employees' misconduct (Art. 105-118 of the Criminal Code, inclusive) is made with the active participation of prosecutor's supervision, although it should be concentrated solely in the SPD bodies;

b) Bodies of the SPD notwithstanding articles 207, 208 and 209 of

the Criminal Procedure Code shall be exempted from the obligation to bring to the court expedited cases which were dismissed due to the lack of evidence or absence of the event of a crime, as well as to the prosecutor's supervision for approval.

Notwithstanding the Article 112 term of application to prosecutorial supervisory bodies on any criminal case initiated by the SPD shall be prolonged up to two weeks"⁸.

In fact, prosecutorial agencies, as noted earlier, were almost entirely suspended from the supervisory activities in respect of the SPD (later – the NKVD). And it led to such a large number of violations that the resolution of the Central Committee of the CPSU (b) and SNK USSR 17 November 1938 "On the arrest and the prosecutor's supervision and investigation procedures" explicitly stated: "The prosecutorial authorities for their part do not take the necessary measures to eradicate the ... deficiencies and usually limit their participation in the investigation to a simple registration and stamping of investigative materials"⁹.

8 Korovin, V.V. (1998), *History of national security agencies* [*Istoriya otechestvennykh organov bezopasnosti*], Moscow, p. 154.

9 *Essays on the history of Russian Foreign Intelligence Service: in 6 vols. Vol. 2:*

Prosecuting authorities not only failed to remedy violations of revolutionary legality, but actually legitimized these violations". In the future, up to the collapse of the Soviet Union, despite of an appropriate legal framework (the Constitution of the USSR, the Regulation on the prosecutorial supervision in the USSR), the prosecutorial supervision over the MGB – KGB bodies continued to exist in frames of formality and were limited only to supervising implementation of laws for preliminary investigation performed by those authorities, as well as activities related to the expulsion of persons deprived of Soviet citizenship, foreigners and stateless persons who violate the rules of stay in the USSR. Supervision over implementation of laws in the field of operational investigation and, moreover, counter – intelligence activities of special bodies were completely out of question.

Prosecutorial supervision in its essence is a kind of supervisory process aimed at timely detecting, preventing and removing violations by specific legal means and certain legal norms, with their combination establishing the sys-

1917-1933 years [*Ocherki istorii rossiiskoi vneshnei razvedki: V 6 t. – T. 2: 1917-1933 gody*], *Mezhdunarodnye otnosheniya*, Moscow, 1996, p. 105.

tem of legal regulation for this process¹⁰. All legal provisions included in said system can be roughly classified into two groups. The first group includes such legal rules that regulate the organization of the prosecutor's office as a public institution, the constitutional basis for its functioning; determine the goals and objectives of the prosecutorial supervision, establish the structure of the prosecutor's office, the power of prosecutors, the procedure for appointment and dismissal of prosecutors and investigators, order of service in the prosecutorial authorities, the basic principles of legal and social protection for prosecutors and investigators¹¹. This group includes the Constitution of the Russian Federation and the Federal Law "On the procuratorship of the Russian Federation"¹². The second

group consists of normative legal acts aimed at regulating the activities of prosecutors to implement various areas of supervision and detailing the rights and duties of the public prosecutor in relation to these areas. This group includes departmental normative legal acts – orders and instructions of the Prosecutor General of the Russian Federation, as well as prosecutors of the Russian Federation constituent entities and equivalent prosecutors, with these acts being issued within the limits of their competence. In accordance with the Part 1 of Art. 1 of the Federal Law "On the procuratorship of the Russian Federation" Russian Prosecutor General and subordinate prosecutors within their competence shall exercise supervision over the abiding by the Constitution and the execution of the laws in force in the territory of the Russian Federation. Traditionally the following number of areas for prosecutorial supervisory is classified: supervision over execution of laws by federal ministries, state committees, services and other federal executive bodies, representative (legislative) and executive bodies of the Russian Federation constituent entities, local authorities, military authori-

10 Lomovskii, V.D. (1987), *Prosecutors and supervisory relationship* [*Prokurorsko-nadzornye pravootnosheniya*], Rostovskii un-t, Rostov-on-Don, pp. 20-30.

11 "Presidential Decree on August, 11, 2003 No. 960 "Issues of Federal Security Service of Russian Federation" (as amended on July, 11, 2004)" ["Ukaz Prezidenta RF ot 11 avgusta 2003 g. No. 960 "Voprosy Federal'noi sluzhby bezopasnosti Rossiiskoi Federatsii" (s izmeneniyami ot 11 iyulya 2004 g.)"], available at: http://www.consultant.ru/document/cons_doc_LAW_111175/

12 "Federal Law on 10.02.1999, No. 31-FZ "On the procuratorship of the Russian Federation" ["Federal'nyi zakon ot

10.02.1999 g. N 31-FZ "O prokurature Rossiiskoi Federatsii"], *Rossiiskaya gazeta*, No. 30 (17.02.99).

ties, supervisory bodies, their officials, authorities and managers of commercial and non-profit organizations as well as supervision over the legality of legal acts issued by these bodies, supervision over the execution of rights and freedoms of man and citizen by specified objects of prosecutorial supervision (general supervision); supervision over the execution of the laws by investigation bodies, that perform inquiry and preliminary investigation; supervision over the execution of laws by bailiffs; supervision over the execution of the laws by the administrations and institutions executing punishment and applying coercive measures appointed by the court, the administration of the remand¹³.

For the time being supervisory activities in respect of bodies executing laws on federal security, international relations and combating extremism are performed: in the General Prosecutor's Office of the

Russian Federation – by the department for Supervision of laws on federal security and the Main Military Procuracy; in the field – by military prosecutors and prosecutors of the Russian Federation constituent entities. The competence of territorial and military prosecutors in this area of prosecutorial supervision is established by the order of the Prosecutor General of the Russian Federation on April 9, 1996 № 24 "On delimitating competence of territorial prosecutors and prosecutors of specialized area" (as amended by the orders of the Prosecutor General of the Russian Federation from May 23, 1997 No. 26, August 4, 1997, No. 48, December 8, 1998, No. 88, November 9, 1999 No. 84). According to this departmental normative legal act territorial prosecutors shall monitor the execution of laws by bodies engaged in investigation, inquiry and preliminary investigation in the territorial security agencies against individuals specified in the same order except military personnel; military prosecutors supervise execution of laws, legality of issued legal acts, the execution of rights and freedoms of man and citizen by security agencies in the army, as well as by territorial security agencies and structural units of the FSB central apparatus of the Russian Federation, as well as the execution of laws by the Federal

13 "Federal Law on 03.04.1995, No. 40-FZ "On Federal Security Service" (as amended on December, 30, 1999, November, 7, 2000, December, 30, 2001, May, 7, July, 25, 2002, January, 10, June, 30, 2003)" ["Federal'nyi zakon ot 03.04.1995 g. N 40-FZ "O federal'noi sluzhbe bezopasnosti" (s izmeneniyami ot 30 dekabrya 1999 g., 7 noyabrya 2000 g., 30 dekabrya 2001 g., 7 maya, 25 iyulya 2002 g., 10 yanvaryaya, 30 iyunya 2003 g.)"], available at: <http://www.consultant.ru/online/base/?req=doc;base=LAW;n=73085>

Security Service in frames of operational investigation, inquiry and preliminary investigation – only on cases and materials regarding the servicemen and registrants drafted into training and test musters, civilian personnel of the Armed Forces and other military formations of other ministries and agencies in connection with crimes committed while on duty. This normative legal act did not sufficiently regulate the competence of military units' prosecutors, i.e. prosecutors carrying out supervisory activities in closed administrative-territorial units (CATU), in special and highly secure units, in closed and isolated military camps and highly secure military units in frames of supervision over the Federal Security Service.

The abovementioned order of the Prosecutor General of the Russian Federation includes two basic premises stipulating that:

1) Federal security agencies are not included to the list of objects being subject to general supervision;

2) Prosecutors of military units are entrusted to supervise the execution of laws by bodies performing operational investigation, inquiry and preliminary investigation in the CATUs, secure military facilities, in highly secure military units and military works, according to the current list, on scenes of offence.

The abovementioned CATUs (Closed Administrative-Territorial Unit) and facilities are serviced in operational sense either by territorial security bodies (CATU and highly secure facilities), or the security authorities in the army. In both cases general supervision falls within the competence of military prosecutors as the withdrawal procedure is established only in respect of military control bodies and military units being under supervision of military unit procuracies. The federal Law of May 31, 1996 No. 61-FZ "On Defense" does not consider territorial security authorities and security agencies in the army as military authorities¹⁴. Despite the conditional name "military unit", these bodies cannot be considered military units supervised by prosecutors of military units, for the same order as it was mentioned above, treats them as objects for territorial and military prosecutors' supervision. By studying territorial competence of prosecutors who supervise execution of the laws by the Federal Security Service in frames of operational investigation, interrogation and preliminary investigation, the order of the Prosecutor General of the Russian Federation

14 "Federal Law on 31.05.1996 No. 61-FZ "On defense" ["Federal'nyi zakon ot 31.05.1996 g. No. 61-FZ "Ob oborone"], available at: <http://www.consultant.ru/online/base/?req=doc;base=LAW;n=93507>

establishes the exemption only for subjects – individuals, the specified activity aims at (servicemen, reservists, drafted to training musters, civilian personnel of the Armed Forces of the Russian Federation in connection with the commission of the offense while on duty). In such circumstances, it can be concluded that prosecutors of military units do not use supervisory powers for supervision in respect of the Federal Security Service. However, the Deputy of the Prosecutor General of the Russian Federation, who supervises the second department of the Russian General Procuracy ruling the prosecution system – military units, expressed a different opinion and referred to the fact that the authorities of the Federal Security Service are part of the authorities for operational investigation, inquiry and preliminary investigation on facilities supervised by prosecutors of military units.

Actually the supervision over the execution of Law by the Federal Security Service, the legality of regulations adopted by them, these bodies' complying with the rights and freedoms of man and citizen, enforcement of laws by conducting preliminary investigation, inquiry, operational investigation is performed by specially authorized prosecutors of territorial and military prosecutor

areas. These prosecutors should have the appropriate form (form number not less than 2) of access to state secrets¹⁵.

In its supervisory activities prosecutors:

- exercise powers independently of the federal bodies of state authority, state authorities of the Russian Federation constituent entities, bodies: of local government, public associations and in accordance with the current laws of the Russian Federation;

- act publicly to the extent that is not inconsistent with the requirements of the legislation of the Russian Federation on the protection of rights and freedoms of citizens, as well as the legislation of the Russian Federation on the state or other specific secret protected by law;

- inform federal authorities of state bodies, state bodies of the Russian Federation constituent entities, local au-

15 "The list of information classified as state secrets. Approved by a Presidential decree on August, 2, 1996 No. 1136" ["Perechen' svedenii, otnesennykh k gosudarstvennoi taine. Utverzhden ukazom Prezidenta RF ot 2 avgusta 1996 No. 1136"], *SZ RF*, 1995, No. 49, Art. 4775; "The list of information classified as state secrets. Approved by a Presidential decree on August, 2, 1996 No. 1136" ["Perechen' svedenii, otnesennykh k gosudarstvennoi taine. Utverzhden ukazom Prezidenta RF ot 2 avgusta 1996 No. 1136"], *SZ RF*, 1998, No. 5, Art. 4671.

thorities, as well as the population about the state of law.

In order to guarantee the independence of the prosecutor's office in accordance with Article 5 of the Federal Law "On the Procuracy of the Russian Federation" it is prohibited without the permission of the prosecutor to disclose materials of inspections performed by the prosecutor's office, pending their completion, along with any form of influence on the part of federal security service is prohibited, as well as pressure by the part of their representatives and officials on the prosecutor or investigator to influence upon the decisions made by it or any form of obstruction to its activities. Violation of this prohibition entails a statutory responsibility (administrative penalties is stipulated by art. 13.11, 13.14 and 17.17 of the Administrative Code of Russia, criminal responsibility is set in Part 2 of Art. 294, Art. 295, Part 2, and 3 of Art. 296, Part 2 and 3 of Art. 298, Art. 310 of the Criminal Code of Russia).

At the same time the Law stipulates that prosecutor is not required to give any explanation on legal proceedings, and provide the materials to someone else for review, except in the cases and manner prescribed by the federal law. According to the Resolution of the

Constitutional Court of the Russian Federation on February 18, 2000 No. 3-P, this provision is considered to be not contrary to the Constitution of the Russian Federation as it is a safeguard against improper interference in the activities of the prosecution of the Russian Federation, it exempts the prosecutor and investigator from the obligation to give any explanation on the cases and materials in frames of legal proceeding, and provide them to anyone for review.

Restricting the activities of the prosecutor is only possible when properly prescribed by the federal law. At the same time, in accordance with the same decision of the Constitutional Court of the Russian Federation this right of prosecutor does not apply to cases where prosecutorial authorities are obliged to provide citizen with materials directly affecting his rights and freedoms, if there are no adequate grounds provided by the federal law and related to content of these materials and the restriction of access to them.

To execute supervisory functions prosecutors are given powers prescribed in art. 22, 27, 30, 33 of the Federal Law "On the Procuracy of the Russian Federation", the provisions of the Code of Criminal Procedure, art. 21 of the Federal Law "On operational investigation",

the commented article , as well as the order of the Prosecutor General of the Russian Federation of April 25, 2000 No. 56 "On organization of prosecutorial supervision over the implementation of the Federal Law "On operational investigation". Depending on the nature of the violations identified in the process of supervision the prosecutor takes the relevant measures of response: recommendation to eliminate violations of the law, protest against the illegal normative legal act, and cancellation of the illegal resolution made by investigator or body of inquiry, criminal proceedings.

Organizing prosecutorial supervision over the activities of the FSB is also characterized by an essential feature¹⁶. Thus, the main scope of supervision over the implementation of laws, legality of issued legal acts, adherence by rights and freedoms of man and citizen (general supervision) on the part of territorial security agencies and security authorities in the troops is assigned to military

prosecutors; supervision over the territorial bodies of the Federal Security Service and the military security agencies' executing laws in terms of preliminary investigation, inquiry and operational investigation is assigned respectively to the territorial and military prosecutors; supervision over the activity of territorial security agencies on the highly secure facilities in the closed administrative – territorial units is carried out by prosecutors of military units. This situation determines the complexity of supervisory activities.

Methods to execute prosecutor's supervision over the enforcement of the laws by the Federal Security Service (general supervision, supervision over enforcement of the laws in frames of operational investigation, inquiry and preliminary investigation, supervision over law enforcement in pre-trial detention facilities of the abovementioned bodies) in this commentary are not considered (methods of prosecutorial supervision are one of the subjects in the commentary to the Federal Law "On Prosecutor's Office of the Russian Federation").

Prosecutor or his deputy brings protest to the act violating human and civil rights to the body or to official who published this act, or it turns to court in the manner prescribed by the procedural

16 Sumin, A.A. (1999), *Public prosecutions over the execution of laws by the Federal Security Service of the Russian Federation: legal, organizational and methodological aspects: Author's thesis* [*Prokurorskii nadzor za ispolneniem zakonov organami federal'noi sluzhby bezopasnosti v Rossiiskoi Federatsii: pravovye, organizatsionnye i metodicheskie aspekty: avtoref. dis. ... d. yurid. n.*], Moscow, 60 p.

legislation of the Russian Federation. The protest is subject to mandatory review not later than in ten days from the date of its receipt. In exceptional circumstances requiring immediate remedy of law violations prosecutor has the right to establish a reduced term for the protest being considered. Prior to its consideration this protest may be revoked by a person who brought it. Prosecutor is reported on the results of the consideration in writing immediately after the report was considered.

The compliance of legal acts issued by the Federal Security Service and their officials is subject to the supervision over legality of issued legal acts.

In case of federal security forces and officials' violating the law in accordance with paragraph 1 of Art. 21, paragraph 3 Art. 22 and Article 23 of the Federal Law "On the Procuracy of the Russian Federation" prosecutor or his deputy protests legal acts being contrary to law, turns to the court or arbitration court to declare such acts invalid.

Execution of laws is verified on the basis of the information received by prosecutorial authorities on violations of laws requiring the adoption of appropriate measures.

Recommendation on remedying violations of the law is submitted by a

prosecutor or his deputy to the body or official authorized to eliminate violations and is subject to immediate review. By collegial body's considering a recommendation the prosecutor is reported about date of the hearing. Within one month from the day of submission actual measures shall be taken to address the violations of the law, their causes and conditions that contribute to them; results of measures taken must be reported to the prosecutor in writing.

In order to prevent offenses and if there is information about upcoming wrongful acts the prosecutor or his deputy submits to officials of the Federal Security Service the warning report on delict in writing. The results of warning report are sent to prosecutor in writing. In case the requirements set out in this warning report were not satisfied, the official to whom it has been declared, may be prosecuted in accordance with the law. In particular, in accordance with Article 17.7 of the Code of Administrative Offences willful failure to comply with the prosecutor's requirements being within its powers established by the federal law, is punishable by an administrative fine on officials – from twenty to thirty minimum wages.

Depending on the nature of the violation by the law officer the prosecu-

tor issues a reasoned decree to institute criminal proceedings or administrative proceedings. The prosecutor's decree on administrative violation shall be issued: immediately after the fact of an administrative offense was disclosed; if additional clarification of the case circumstances is needed or data on an individual or a legal entity in respect of which proceedings on administrative offense are initiated – two days after an administrative offense was detected. The prosecutor's decree on administrative offense is sent to judge, to authority, or official authorized to hear the case of an administrative offense, within a day from the date of court order on an administrative offense. The prosecutor's decree on administrative offense, which involves administrative arrest or administrative deportation, is submitted to the judge immediately after its pronouncement. The decree on the case concerning administrative offense is declared immediately after the termination of the proceedings. The prosecutor is informed on the results of hearings in writing.

Conclusion

Thus, executing laws on federal security, international relations and combating extremism is carried out by state

executive bodies, including the constituent entities of Russia. Currently in Russia there is not the system but rather the combination of the supervisory bodies, there is no unification of legal acts.

The system for legal regulation of the bodies responsible for executing laws on federal security, international relations and combating extremism is a multilevel structure of legal regulations having a close interaction and mutual interdependence. The legislation clearly defines the place of the bodies responsible for executing laws on federal security, international relations and combating extremism in Russian security system and system of governmental bodies. Legal regulation of their activity is characterized by the insufficient establishment of specified bodies' competence in frames of the federal laws, including the competence which affects the constitutional rights and freedoms of citizens that can and should be compensated by an adequate change in the regulations determining their legal status.

Efficiency in organizing prosecutorial supervision over the implementation of laws on federal security, interethnic relations and combating extremism involves the increase in efficiency of information and analytical framework that serves as a basis for planning superviso-

ry measures and evaluating their results. This is due to the fact that the absence of complete data on the performance of public bodies makes it impossible for prosecutors to forecast the development of situation in the sphere of public relations, which is by conventionally called as "execution of laws on federal security, international relations and combating extremism." In its turn, this situation causes a decrease in the effectiveness of the coordinating function of prosecutors in their fight against crime. This situation

may be possibly improved by issuing joint interagency regulations (the General Prosecutor of the Russian Federation and public authorities executing the law on federal security, international relations and combating extremism), which obliges public authorities to submit reports on key indicators of investigative, operational investigative and counterintelligence activities to the prosecutorial authorities (except for indicators being a state secret and characterizing the state of undercover unit).

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Особенности прокурорского надзора за исполнением законов о федеральной безопасности, межнациональных отношениях и противодействии экстремизму

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Аннотация

Исследуются особенности прокурорского надзора за исполнением законов о федеральной безопасности, межнациональных отношениях и противодействии экстремизму. Определяются характерные черты прокурорского надзора за исполнением законодательства в этой сфере надзорной деятельности.

Ключевые слова

Прокурорский надзор, федеральная безопасность, межнациональные отношения, противодействие экстремизму, предмет, объект.

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