

PROTECTION IN UZBEKISTAN AND THEIR REQUIREMENTS.

Narzieva Marvarid Murodovna

Ministry of Internal Affairs of the Republic of Uzbekistan

Abstract.

New approaches to improving the activities of modern security and safety units in Uzbekistan on the basis of modern requirements. Today, modern security in foreign countries has become a kind of cultural service. Security guard (agent, staff) has become a profession that requires a thorough mastery of the general principles of psychology, domestic law and foreign policy, rather than simply the bulging muscles and facial expressions.

Key words:

security service, legal status, security, protection of property rights, principles of protection, conscience of uniform protection policy.

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Introduction. Fair public administration is necessary to regulate the social relations that arise at all levels of human society. The reflection in the law of social relations related to the protection of man and his needs is reflected in the development of norms and administrative-legal regulation that do not exist in the legislation. For the same reason, the basis of any kind of protection and security lies in the social relations associated with protection, and their legal regulation is a natural process.

Today in many famous countries of the world, as well as in Uzbekistan, the object of scientific research is the improvement of administrative and legal aspects of the security service in government agencies and the legal regulation of the conditions of non-governmental organizations to engage in security activities. Uzbekistan also pursues a state policy on the formation of legal procedures for private security activities for non-governmental organizations.

The first private security companies actually appeared in the United States in the 1980s, and the idea was later adopted by Western Europe. Initially, security provided mainly the natural (primitive) functions of security. That was to monitor the facility and call the fire department in a timely manner. The popularity of using security services has increased dramatically since security insurance companies began offering discounts to customers who hire physical security to ensure the safety of their facilities. Because the activities of these security services have increased the possibility of safe protection of the property and its integrity. Today, a wide range of services are provided by modern private security companies of the Russian Federation. For example, the personal

protection of citizens and the security of private facilities; personal inquiries; fight against fraud and theft; escort and collection of goods; security and technical equipment of facilities; performs various situation study and surveillance and detective services. The most radical reforms in the legislation on private security services in general were made in 1986 in France, and on September 11, 2011 in the United States and Canada after major terrorist attacks.

Of course, these reforms have naturally led to an expansion of the capacity of private security companies. At a time when Russia is tightening its grip on private security agencies, many Western governments are taking over activities that were previously considered state authority.

For example, in the state of Israel, employees of private security companies are entrusted with guarding the most important government facilities and public places of citizens (especially bus stations and airports), and in terms of armaments, Israel has better logistics than the police. In 2009, control of state checkpoints in the Gaza Strip was transferred to Israeli private security companies. As part of the general security services, the Department of Defense and Security has the authority to protect state property, diplomatic missions, banks, and state-owned airlines. [D.P. Prokhorov., Spetsslužby Israel. - M: Olma-press, 2003.-384., Dose «Spetsslužby mira»,. [Http://guardinfo.online/2017/12/08/a-kak-u-nix-kak-rabotayut-chastnye-oxrannye-agency-zapadnoj-evropy-i-ssha/](http://guardinfo.online/2017/12/08/a-kak-u-nix-kak-rabotayut-chastnye-oxrannye-agency-zapadnoj-evropy-i-ssha/)]

Another European country is Spain, whose 1st National Police System is divided into 2 Internal Security Services; 2- Urban is the police. Private security services are overseen by the

National Police System. The main reason for the low crime rate in Spain is believed to be the increased focus on private security services (Eulen Seguridad, Prosegur Compania de Seguridad, Loomis Spain). Also, in Spanish national law, private security companies interact with government agencies, and the Charter of private security legislation stipulates that the state police must comply with the requirements in case of emergency. Foreign scientist D.K. According to Brager, the study of the experience of security-control licensing procedures for engaging in private security activities from the United States will serve to improve the administrative-regulatory control function in this area. [D.K. Brager., Diss., Kand.yurid.nauk, "Organizational and legal basis of regulation of chastnoy detektivnoy i oxrannoy deyatelnosti" M: - 2002., Khabarovsk., P. 26] Also, security guards working in institutions that are reinforced in foreign countries or related to covert security and security activities usually undergo extensive theoretical and practical training.

Material and methods. During the research, such methods as a systematic approach to the scientific knowledge of normative-legal documents related to security activities, comparative-legal, statistical analysis were used.

Research results and discussion. Based on the analysis of existing regulations, legal literature and the views of scientists who have conducted research on this issue, the following author's definitions have been developed:

"Protection" is a social and public function of public administration, which provides for the establishment by law of measures related to the "inviolability" of the subjects of social and property relations.

"Security" service is a method of ensuring socio-legal management, which has the means to implement mandatory legal (moral, material or physical) measures to prevent all types of property and economic and property inviolability violations in society.

The activity of the security service - the function of regulation and control of administrative-legal relations aimed at the protection of property, ensuring the protection of property and related rights and freedoms of the person and the prevention of illegal actions; the social significance of the activities of the security service - the presence of an element of information and warning about the offense, aimed at preventing any kind of encroachment on the

protected property, its security, integrity, violations of property rights.

2. The study of the administrative and legal framework of the National Guard Security Service revealed that it is manifested in the following:

- it is necessary to develop certain administrative procedures for security control and security maintenance;
- the need for the subjects of the performance or implementation of security activities to comply with the administrative procedures and conditions of the single security function;
- This process is administratively controlled by the relevant authorities of the special units of the National Guard;
- The need for the widespread introduction of public-private partnership mechanisms in the protection of property of citizens and businesses and the creation of a legal framework for private security services;
- the need to allow (license) non-governmental organizations to provide security activities and services to individuals and legal entities to ensure security at facilities;
- the need to establish the conditions and requirements for licensing non-governmental organizations to engage in security activities;
- The need to staff non-governmental security organizations, develop mechanisms for their professional training and retraining;
- In all cases of administrative-legal relations related to the organization of security services, the regulatory authority of the state is manifested.

3. Expansion of the activities of the state security service.

- Introduction of security licensing - ensuring the implementation of security activities that may cause damage to property rights and freedoms of citizens, non-property (life and health), security of protected facilities, the introduction of mandatory administrative regulations to achieve it.

4. The first part of Article 3 of the Law of the Republic of Uzbekistan "On the National Guard of the Republic of Uzbekistan" No. ZRU-647 of November 18, 2020, after the words "ensuring public safety" to add the phrase "control of security activities"; the second part of this article, "protection of facilities, including critical and classified facilities of the state, diplomatic missions of foreign countries, consular posts and representations of other international organizations;" and "state security and control licensing procedures in the field of security activities and the issuance of permits to non-

governmental organizations and its administrative control;" fill in the sentences.

Also, Article 27 of the Law imposes the following obligations arising from these duties;

"Implements and develops state security and control licensing procedures in the field of security activities;

formation and maintenance of a database of non-governmental organizations providing security services;

to exercise administrative control over the activities of public-private security organizations; "

5. Based on the changes in the organizational structure of state bodies of the Republic of Uzbekistan, licensing bodies established by the Resolution of the Cabinet of Ministers of June 28, 2002 No. 236 "On measures to implement the Law of the Republic of Uzbekistan" On licensing of certain activities " It is advisable to make the following changes to the types of activities:

- "Licensing of activities for the design, installation, adjustment, repair and maintenance of security alarms, fire alarms" to the National Guard,
- the name of the activity "Management of security, control, organization, maintenance and termination of security services" It is necessary to regulate the transfer of licensing authority for the activities of "public-private security" to the National Guard.

We approve the opinion of the scientist and provide them with various district certificates (licenses) in the classification of "protection-control" activities tested in practice in compliance with the requirements of the Presidential Decree PF-5635 "On the State Program for 2019" Year of Active Investment and Social Development ". It would be expedient to form the legal basis for the issuance of

In accordance with Article 2.4, paragraph 45 of the Decree "Priorities for further rule of law and further reform of the judicial system", in order to improve the system of combating crime and crime prevention - to ensure public safety - the property of citizens and businesses. wide application of public-private partnership mechanisms in protection and creation of legal basis of private security services, as well as normative-legal formation on administrative-legal order on implementation of paragraphs 5, 245 on ensuring public order and security during public events;

Also, the analysis of the second group of normative legal acts showed the following. According to paragraph 6 of the Resolution of the President of the Republic of Uzbekistan in 2018 "On measures to increase the effectiveness of activities to ensure the protection of property of

individuals and legal entities" PQ-4060: interaction with market infrastructure in the field of protection and implementation of all branches of government introduction of new forms of security system that will serve the effectiveness of cooperation with the authorities, as well as banking and financial institutions;

In order to fully ensure the property of individuals and legal entities, it is planned to direct and introduce an automated system of security maintenance [Decree of the President of the Republic of Uzbekistan dated December 18, 2018 No PP-4060 "On measures to increase the effectiveness of security of individuals and legal entities" decision., paragraph 6.]. The legal basis is the further improvement of the regulatory framework, especially in urban areas, related to the protection of civilian housing and urban security. Also, in many government programs, one of the legal frameworks defining the procedures for equipping information technology on "Safe City", "Public Safety", "Public Order", "Traffic Safety", "Safety and Surveillance", the systematization of innovative technical models to urban infrastructure. is calculated. Also, in paragraph 3 of the Annex to the Resolution of the President of the Republic of Uzbekistan dated December 24, 2018 "On measures to increase the effectiveness of public safety" No. PP-4075:

Allowing non-governmental organizations to provide security activities and services to individuals and legal entities to ensure security at their facilities;

Establishment of conditions and requirements for licensing of non-governmental organizations to engage in security activities, taking into account the need for close cooperation with law enforcement agencies in maintaining public order at protected facilities;

BelgiDetermining the procedure for engaging in security activities of non-governmental organizations;

The National Guard assigns a number of tasks as a "security specialist" to the staff of non-governmental security organizations, the development of mechanisms for their professional training and retraining [Measures to improve the effectiveness of public safety of the President of the Republic of Uzbekistan dated December 24, 2018 Resolution No. PQ-4075 "on Appendix 3".].

Because today in our country there is an effective dialogue and beneficial cooperation mechanisms between the business community and government agencies set in motion; strengthening the reliable protection and guarantees of the rights

and legitimate interests of private property and entrepreneurship; ensuring the provision of quality public services to businesses; Many reforms are being carried out to establish a new effective system of cooperation between government agencies and business structures, their support. Also, large-scale work is being done to protect the interests of business entities, to develop various forms of small, private and family entrepreneurship, which will ensure the rapid growth of employment and income [President of the Republic of Uzbekistan "On protection of legitimate business interests and further development of entrepreneurship) Decree No. PF-5087 "On measures for radical improvement", Tashkent, June 19, 2017, "People's Word" newspaper, June 20, 2017, No. 121 (6815).].

The third group - Today, the National Guard is responsible for the effective protection of the most important, classified and other objects of the state, property of individuals and legal entities, the Cabinet of Ministers of the Republic of Uzbekistan on July 5, 2019 No. 555 "National Guard of the Republic of Uzbekistan" [Resolution of the Cabinet of Ministers of the Republic of Uzbekistan No. 555 of July 5, 2019 "On measures to radically reform the activities of the National Guard"]].

In conclusion, it should be noted that based on the strategic tasks assigned to the units of the National Guard of the Republic of Uzbekistan and the ongoing reforms, as well as foreign experience, it is necessary to expand its administrative and legal powers. It would be expedient to establish procedures for the conduct and performance of administrative offenses to protect the rights, freedoms and legally protected property interests of individuals and legal entities of the National Guard Service.

To do this, of course, it is necessary to adopt a single law in the field of security, to improve the procedures for conducting security activities. However, the development and adoption of bylaws on the implementation of "state policy in the field of security activities", the modernization of international standards with national legislation on the protection of strategic state facilities, the types of security services are not implemented. Also in the administrative department of the National Guard Security Service it can be seen that the relationship between security service entities, business entities, local state authorities and state and economic administration bodies is not regulated.

It is necessary to establish practical activities on the principle of "direct and feedback" for the effective organization of relations between the subjects of security activities, ie the requirements and procedures for cooperation (by the decision of the Cabinet of Ministers of the Republic of Uzbekistan paragraph on powers in the field of protection).

It would also be expedient to develop a draft regulation "On the procedure for non-governmental organizations to engage in security activities in the Republic of Uzbekistan" to create an effective mechanism for determining the conditions, requirements and procedures for licensing security activities of non-governmental organizations. This, of course, will increase the competitiveness of the security market, expand the powers of the National Guard Security Service in the field of security policy among security service entities, state and economic administration bodies, as well as local authorities at all levels.

Conclusion. Although Uzbek scientists have not studied the field of protection in depth, they have commented on some aspects of protection. For example, J.Kholmominov, N. According to Normatov, "the activity of the security service is a legal entity with the status of a unitary enterprise, providing security services, organized and has the right to use special means." SM Selimanova believes that there is a socio-political period in Uzbekistan for the introduction of private security and licensing of these activities [J. Kholmuminov, N. Normatov., / Civil law regulation of security services / textbook, 2004 ., T.-103; SM Selimanova, EH Nobotaev / On the formation of the organizational and legal framework for the regulation of private security / Journal of Legal Research., No. 2019 №3, p. 93]. Foreign scholars have expressed different views on the meaning and significance of the term "security service". In particular, according to S.A. Sharonov, the concept of "security activity" - in its essence, is the activity of government agencies and private security agencies through administrative and legal means, consisting of practical measures aimed at protecting security facilities from illegal aggression.

The concept of "security service activity" is not clearly defined in the internal regulations of Uzbekistan. Documents - "Activities of state bodies, organizations and private enterprises to protect the objects and property of individuals and legal entities from illegal encroachment, illegal access to them, the issuance of permits and internal regimes of the facility, the use and

maintenance and control of security means and systems" "Is calculated. This is sufficient for legislation of general content but I did not have to define the specific function of the activities of the security service.

In addition to the above, the "security service" is the property and related rights and freedoms of individuals and the state the function of regulation and control of administrative-legal relations, aimed at ensuring protection and prevention of illegal actions against the protected object. Unfortunately, administrative and legal relations in Uzbekistan, which provide security services, are not regulated and there is no single control. Each of the government agencies conducts inspections based on their sectoral direction, the interests of the service of any of them do not include the development of the internal market of security services.

It is necessary to assign the expert-legal opinion on the management of conflicts of interest in the conflict of "service interests" that may arise between the subjects of security activities to the National Guard Service and to form its legal basis. We believe that the information received about crimes through the activities of the National Guard will serve as an auxiliary database for accurate assessment of the operational situation on the basis of relevant regulations, to draw clear and accurate conclusions about the crime.

After all, the main goal should be the socio-economic development of society, the implementation of modern multifaceted economic and political strategic tasks in a short time but with quality, based on the policy of internal protection of the rule of law. In the developed countries of the world, the security service has a special place in the system of public order and public safety. In the organization of the activities of the security service (secrute), it is important to equip the protected facilities with the latest technology, paying special attention to security and engineering knowledge. Of particular importance is the methodological, organizational, legal and social support of the personnel of the security service - the professional training of "staff". Depending on the type and object of security, foreign security services require security service units to constantly update the established procedures for the implementation of security and security-related control processes. In particular, the National Guard of the Republic of Uzbekistan is responsible for ensuring the internal security of the country, protection of material resources, prevention of public safety, which is "consistent

with the maintenance of public order." [Organization of the National Guard of the Republic of Uzbekistan Decree on August 4, 2017.]

In the legal analysis, we divided the administrative normative-legal documents into three groups.

The first group - the general legal framework for the organization of the National Guard of the Republic of Uzbekistan, dated October 29, 2019 No. ZRU-575 "On amendments and additions to some legislative acts of the Republic of Uzbekistan in connection with the improvement of the National Guard"; ZRU-647 of November 18, 2020 "On the National Guard" of the Republic of Uzbekistan, ZRU-445 of the Republic of Uzbekistan "On amendments and additions to the Law of the Republic of Uzbekistan" On appeals of individuals and legal entities "dated December 3, 2014, Uzbekistan Law of the Republic of Uzbekistan "On Public-Private Partnership" No. ZRU-537 of May 10, 2019, "On amendments and additions to some legislative acts of the Republic of Uzbekistan in connection with strengthening the protection of tangible cultural heritage" of August 30, 2019 It is expedient to introduce the law No. ZRU-560.

The second group - Decree of the President of the Republic of Uzbekistan PF-5635 "On the State Program for the implementation of the Action Strategy on the five priority areas of development of the Republic of Uzbekistan in 2017-2021" in the "Year of Active Investment and Social Development", 4 Decree No. PF-5131 of August 6, 2018 "On the establishment of the National Guard of the Republic of Uzbekistan", Decree of the President of the Republic of Uzbekistan No. PF-5402 of April 6, 2018 "On additional measures to increase the efficiency of the National Guard of the Republic of Uzbekistan" Resolution of the President of the Republic of Uzbekistan dated January 29, 2019 No PF-4140 "On additional measures to improve the activities of the National Guard of the Republic of Uzbekistan", President of the Republic of Uzbekistan dated December 22, 2018 "On measures to increase the effectiveness of public safety" Resolution of the President of the Republic of Uzbekistan dated December 18, 2018 No PP-4060 "On measures to increase the effectiveness of activities to ensure the protection of property of individuals and legal entities", Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated 2019 Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated July 5, 2019 No 555 "On measures to radically reform the

activities of the National Guard Guard Service" and other documents "On approval of the list of objects protected by the National Guard." Decree of the President of the Republic of Uzbekistan dated January 18, 2019 "On the State Program for the Year of Active Investments and Social Development" PF-5635., //Lex.uz/docs/4168749/(national database of legislation.

Regulates the activities of units of the National Guard Security Service in accordance with the content of the normative legal acts of the above classification. Of course, the general legal requirements for the implementation of the laws of the Republic of Uzbekistan are important.

Because the Law of the Republic of Uzbekistan "On Amendments and Addenda to Certain Legislative Acts of the Republic of Uzbekistan in connection with the improvement of the National Guard of the Republic of Uzbekistan" No. ZRU-575 Activities of a serviceman (employee) of the National Guard in the field of crime prevention [Code of Administrative Responsibility of the Republic of Uzbekistan, approved by the Law of the Republic of Uzbekistan No. XII of September 22, 1994 (Bulletin of the Supreme Council of the Republic of Uzbekistan, 1995, № 3,

The Law of the Republic of Uzbekistan "On the National Guard" regulates the legal status and main tasks of the National Guard of the Republic of Uzbekistan.

The first part of Article 3 of the Law states that "the National Guard of the Republic of Uzbekistan is a special type of the Armed Forces of the Republic of Uzbekistan with certain law enforcement functions in the field of public safety and crime prevention" and state facilities, critical, classified facilities and other facilities. and implementation of state policy in the field of protection and preservation of property of legal entities; " responsibilities are defined.

Article 16 of this law provides for the legal status of National Guard personnel; Article 17 regulates the procedure for service by the National Guard, ie the "Regulations on the service of employees of the National Guard, approved by the President of the Republic of Uzbekistan" and the service of the National Guard and the service of the National Guard. fulfillment of duties and participation in hostilities; service (combat service) and other actions "[Law of the Republic of Uzbekistan" On the National Guard ", (National Database of Legislation, 19.11.2020, No. 03/20/647/1569)] .

Another important legal basis for the implementation of the powers of the National Guard of the Republic of Uzbekistan is the State Program of the President of the Republic of Uzbekistan "On the implementation of the Action Strategy for the five priority areas of development of the Republic of Uzbekistan in 2017-2021 in the Year of Active Investment and Social Development." gi is Decree PF-5635.

In the analysis of the activities of foreign security services, we theoretically interpreted the activities of security units and private security services within the Rosguardia of the Russian Federation, which is part of the Commonwealth of Independent States.

According to the analysis, the organization of the security services of the Russian Federation is mainly divided into two areas. The first is the guard units of the Rosguardia of the Russian Federation and the departmental militarized guard and guard units;

The second consists of the activities of private security services in the territory of the Russian Federation. The legal basis of these units is the Law of the Russian Federation "On Departmental Guard", the Law of the Russian Federation "On National Guard of the Russian Federation", the Law of the Russian Federation "On Special Detective and Security Guard" law and other laws. [Federal law on April 14, 1999 № 77-FZ "On departmental protection", July 3, 2016. № 226-FZ «O voyskakh natsionalnoy gvardii Rossiyskoy Federatsii», Rossiyskoy Federatsii at 11 times 1992 № 2487-1 «O chastnoy detektivnoy i okhrannoy deyatel'nosti v Rossiyskoy Federatsii».] They can organize and carry out general and special control over their activities, as well as provide security services to all enterprises and organizations (regardless of departmental affiliation) on a contractual basis by paramilitary guards and security units as a legal entity. [Law RF 14 April 1999 № 77- FZ «O vedomstvennoy oxrane» (red.ot 05.12.2017)., / Statya-22 v red.Federalnogo zakona ot 03.07.2016№227-FZ i statya-26.,

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Guard", the Law of the Russian Federation "On National Guard of the Russian Federation", the Law of the Russian Federation "On Special Detective and Security Guard" law and other laws. [Federal law on April 14, 1999 № 77-FZ "On departmental protection", July 3, 2016. № 226-FZ «O voyskakh natsionalnoy gvardii Rossiyskoy Federatsii», Rossiyskoy Federatsii at 11 times 1992 № 2487-1 «O chastnoy detektivnoy i ohrannoy deyatel'nosti v Rossiyskoy Federatsii».] They can organize and carry out general and special control over their activities, as well as provide security services to all enterprises and organizations (regardless of departmental affiliation) on a contractual basis by paramilitary guards and security units as a legal entity. [Law RF 14 April 1999 № 77- FZ «O vedomstvennoy oxrane» (red.ot 05.12.2017)., / Statya-22 v red.Federal'nogo zakona ot 03.07.2016№227-FZ i The general activity of the security units of the Rosguardia of the Russian Federation is mainly based on the application of the Instruction No. 666 adopted by the Government of the Russian Federation on February 5, 2011, monitoring of state facilities and special property and design, installation, maintenance and repair of security equipment functions. Also, the powers related to the implementation of special activities are regulated by the requirements of the Decree of the President of the Russian Federation No. 157 of April 5, 2016 and other laws [Decree of the President of the Russian Federation dated 05.04.2016 №157 (ed. On 17.06.2019) According to Article 3 of the Law of the Russian Federation of March 11, 1992 №2487-1 "On chastnoy detektivnoy i okhrannoy deyatel'nosti v Rossiyskoy Federatsii", "Private security service" and Article 11 (license) to special organizations by the state bodies of the Russian Federation authorized to carry out licensing activities. One of the main reasons for the widespread access to private security agencies in the Russian Federation is the growing economic and security sector.

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