

# Legal Categories in Intelligence Legislation: A Comparative Analysis

Volodymyr V. Proshchaiev\*

*Department of Socio-Political and Legal Disciplines, Academy of the Foreign Intelligence of Ukraine, Kyiv, Ukraine*

**Abstract:** The study employs the comparative legal method to investigate the features of the inclusion of legal categories reflecting intelligence activities as a specific social phenomenon in the laws on intelligence, as well as their interpretation by legislators from different countries. It has been found that in the legal regulation of intelligence activities there are general patterns inherent in the legislators of all countries. The study considers the features of application of the rules of legal technique in the legislation on intelligence through the investigation of issues of legal terminology, legal structures, and methods of constructing a law on an intelligence agency. The author proposes to conventionally divide all terms into three groups: common, used in everyday life; legal, with established and stable legal content and special, describing the special legal content and revealing the essence, the specifics of intelligence activities. The developed two tables concentrate and summarise the material on the content of the structural parts of the legislative acts of various countries on intelligence under the title "General Provisions" and the list of key terms included and defined in them. As a scientific hypothesis, the conclusion was formulated that in the near future the countries of regional alliances will develop model laws on intelligence, which will give an impetus for the development of national laws in Ukraine at a new and higher level.

**Keywords:** Defence and security sector, legal situations, national security, intelligence information.

## INTRODUCTION

One of the brightest and conspicuous realities of the modern world is the indisputable fact that almost all countries that proclaimed themselves democratic and legal states, at the turn of the late 20th – early 21st century, developed, adopted, repeatedly improved, and currently have an established, balanced legislative basis for the functioning of their intelligence agencies. What half a century ago was considered a completely secret area, not subject to legislative regulation, gradually but inexorably became commonplace. Currently the activities of intelligence structures are regulated by legislative acts on an equal basis with other state bodies.

The available significant array of legal material, as well as the accumulated legislative experience in regulating the sphere of functioning of power structures included in the security and defence sector, could not but become the subject of close attention of legal scholars (Born and Leigh 2005; Fluri and Badrak 2011; Wills 2010; Born and Wills 2012; Hayez 2011; Born and Mesevage 2012; Born *et al.* 2015). With the help of the methods of legal comparative studies, comparing the legislative acts of different countries, they have already come to several regularities in the legal regulation of intelligence activities, have identified the

universal attributes inherent in the legislators of all countries. Based on this, scientists continue to further investigate and identify the special, inherent only in the legislation of a particular state(s), as well as a single one, reflecting the legislation of a certain field of activity of special services, in particular foreign intelligence.

Among the general patterns revealed, it suffices to name the following:

- As a rule, the national legislator regulates the intelligence activity in legal terms based on the need to ensure its national security based on established historical, cultural, legal customs and traditions, the presence of threats from the outside, the current internal political situation, existing economic, material, and financial opportunities, etc. However, in the legislative acts adopted by different countries, there are many identical (similar) moments, which testifies to the general objective laws of the legislation development. Within the framework of these patterns, the need for the legislator of a separate country to learn and study the legislative experience of other states inevitably arises, which often prompts the legislators to directly or "creative" borrowing from each other the accumulated legislative experience (this is especially true for those countries that are in the nearest cultural or linguistic space).
- The legislation necessarily reflects the standards of international law recognised by the national

\*Address correspondence to this author at the Academy of the Foreign Intelligence of Ukraine, Kyiv, Ukraine; Tel: +380442262929; E-mail: proshchaiev6070@murdoch.in

parliaments, which relate to the observance of constitutional human and civil rights and freedoms and which in a certain way limit state power in the desire to endow the special services, including intelligence, with additional, exclusive, or non-characteristic rights.

- Albeit the system of regulations generally governs specific activities that are completely different from the activities of other state bodies, it, nevertheless, has the same fundamental structure and is subject to the same laws in its establishment and development, characteristic regulation of other state bodies, the entire state mechanism, all power structures included in the defence and security sector.
- Legal categories reflecting general issues of intelligence activities (goals, objectives, functions, principles, directions, forms, methods, forces, means, etc.) are formulated by the legislator, as a rule, in separate articles of the law. Sometimes these articles are combined into chapters (sections). Legal provisions governing the rights of intelligence, its powers, competence, public relations and interaction with government agencies, contacts with foreign intelligence services, etc., are often grouped into separate chapters or sections of laws. Undoubtedly, the number of chapters and their article-by-article content depend on the national specifics of law-making, which can only be understood with a detailed comparative analysis of the intelligence laws of different countries.

Taking the above general patterns as a basis, this study attempts to carry out a comparative analysis and study some special and individual aspects related to categories (concepts) that reflect general issues of organising intelligence activities, formulated and included by legislators in laws after the preamble in the first articles or chapters (sections) entitled "General Provisions". This refers to the legal categories that the legislator intends to endow with a legal interpretation and with which they operate throughout the law, covering the content of all articles of the law.

#### **FEATURES OF THE APPLICATION OF THE RULES OF LEGAL TECHNIQUE IN THE LEGISLATION ON INTELLIGENCE**

It is impossible to investigate the entire range of problems associated with legal technique in intelligence legislation within one article, since it is necessary to

fully analyse the process of legal regulation of specific activities. And this process, in the opinion of legal scholars, comprises three stages of legal regulation: law-making, action of law, and implementation of law (Shutak 2015; Debaene *et al.* 1999). This complex can be studied only at the dissertation or monographic level; therefore, the study will be limited merely to the first law-making stage, covering the issues of legal terminology, legal structures and methods of constructing a law on an intelligence agency.

As the legislation develops, legal terms in any branch of law have a steady tendency to gradually fill their content, which leads to the complication of their perception by ordinary citizens (Marín and Rea 2014). Over time, the terms start acquiring a specific meaning (Fedulova 2017), often understood only by individual specialists. In this respect, the terms of the legislation that regulate the scope of intelligence activities are no exception. After the adoption of laws on intelligence in the process of their improvement, legislators first of all try to refine, clarify, bring legal terms closer to the modern realities, since they "... play an important cognitive function. Upon an inadequate use of terminological units, without a correct approach to the specific features of understanding the meaning of a word in speech, it is impossible to adequately perceive terminological units in any field of knowledge, including in the language of law" (Fedulova 2017).

Legal terms in intelligence legislation, as in any other branch of law, are verbal designations of legal concepts with the help of which the will of the state is expressed and is consolidated in the form of a legislative state prescription. The terms found in the legislative acts on intelligence agencies can be roughly divided into three groups:

1. Terms are used in an ordinary meaning and are understandable to everyone, for example, "intelligence personnel", "educational institution" where intelligence officers are trained, "financing and material and technical support of foreign intelligence", etc.
2. Legal terms that have an established and stable legal content. They are scientifically substantiated by the corresponding branch of law and enshrined in the current regulations, for example, "information", "crime", "constitutional rights and freedoms", "competence", "duties", "protection of state secrets", etc.

3. Special legal terms that have a special legal content and cover the essence, the specifics of intelligence activities (“intelligence agency”, “intelligence duties”, “undercover intelligence officer”, “person assisting intelligence agencies”, “confidential cooperation”, etc.).

This study will address the third group, which combines special legal terms. Carrying out a retrospective analysis of the stages of development of legislative acts on intelligence in various countries of the world, it is possible to trace the dialectical path of the gradual “transition” of the fundamental concepts of the theory of intelligence activity from a closed professional plane to an open legal field, filling them with new legal meaning and turning them into special legal terms, or in legal categories. Thus, with the development of intelligence legislation, the scientific categories of intelligence activities were modified and filled with new legal content. Supporting and expanding the scientific idea of the researcher N. Averyanova (2018) about the relative value of the legal category “land”, it can be stated that the content of legal categories in the field of intelligence activities should be developed based on the following ideas:

- firstly, the categories must have a normative value, that is, carry humanity, influence the moral consciousness of the individual, while shaping their ontological-humanistic orientation, be the bearer of people’s freedom and at the same time the determinant of its boundaries (Zamorskaya 2013);
- secondly, as a consequence, they must develop legal provisions-principles of intelligence activities, which constitute part of the system of principles of the security and defence sector forces and establish the basis for governing relations in the field of ensuring national (state) security;
- thirdly, the categories should reflect the specifics of the objects of social relations that develop in society regarding the functioning of intelligence agencies. And in this legal capacity, their content is also multifaceted and ambiguous.

It is these terms, i.e. legal categories, that the legislators intend to provide with an extended legal interpretation in the laws on intelligence in chapters or sections entitled “General Provisions”, thereby solving three problems:

1. The same legal category in the same law must be used expressly, without ambiguity. It is no coincidence that a clarification is made in a legislative act, for example, “the terms given in this law are used in the following meaning” or “for the purposes of this law, the following terms and concepts are used herein”.
2. The list of legal categories should not be formed chaotically and be covered in the law fragmentarily. It should include basic and carefully selected categories that are logically interrelated and generally reflect the essence and content of intelligence activities.
3. Categories should be generally recognised, used in practice, as well as be substantiated by scientific research in the field of intelligence theory and legal science.
4. Categories should have a stable and unchanging nature, retain their meaning not only throughout the text of the law on intelligence, but also in other laws on the activities of the security and defence forces, ensuring national security.

Legal constructions in the laws on intelligence are based on the same principles as in acts on the activities of other state bodies and constitute “the result of the mental combination of legal means (their elements) or elements of legal relations according to a verified standard scheme designed to resolve specific legal situations” (Ananeva 2016). Notably, the laws on intelligence of various states have not yet developed such “verified standard schemes”. It can be assumed that this is a consequence of the insignificant development of legislation, as well as the initial stage of researching these issues from the standpoint of science. This refers, for example, to the classical structural arrangement of legal material, which is described by the internal unity of rights, obligations, and forms of responsibility. Thus, in the Law of the Russian Federation “On Foreign Intelligence” (1995), the powers are defined, but there are no duties. At the same time, responsibility is indicated by the reference rule – “in accordance with federal laws”. Another example would be a classical structure, reflecting the triad “purpose”, “tasks”, “functions”. The legislator of each country reflects this typical scheme in their own way, often defining only the purpose and forgetting about the tasks and functions, and sometimes defines exclusively tasks, etc. Thus, the Law of Spain “On the National Intelligence Centre” (2002) states that the

purposes for intelligence will be determined annually by the Government through secret directives, and instead of tasks, only functions are formulated.

Speaking of the methods of constructing the law, the study will only address the issue of the structure of the act, in which general provisions should be formulated in one of the first chapters (sections). This point is emphasised by the researcher A. Lavrushkina (2015), saying that “most often, Chapter 1 “General Provisions” acts as an introductory part, which provides a description of a government body or other state-legal phenomenon, which is designed to adjust this regulation”. It is also quite possible to agree with the opinion of S. Vasilevich (2017), who insists on the mandatory presence of a preamble in a legislative act and proposes “to move away from the prevailing view of the obligatory preamble only in large and significant acts and acts concerning innovations in the legal status of a citizen, changes in the constitution, constitutional laws. The approach should be broader”. It is the presence of detailed and verified preambles and “General Provisions” in the law on intelligence that allows to balance the entire law under the formulated basic ideas, makes it possible for the user or reader to make sure that the legislative act is logically complete and truly regulates legal relations. As they say, “nomen est omen”.

#### **“GENERAL PROVISIONS” AS A MANDATORY ELEMENT OF THE STRUCTURE OF THE LEGISLATIVE ACT ON INTELLIGENCE ACTIVITIES**

Analysis of the legislation of various countries demonstrates that most acts on intelligence have their first chapters (sections) define the general provisions on which the entire act is based and which permeate the entire content of the remaining structural parts. However, the content of this chapter (section) is very different depending on the country, and in the laws of, for example, Italy, Great Britain and Germany, there are no general provisions at all (Legge “Sistema di informazione... 2007; Intelligence Services Act 1994; Gesetz über den Bundesnachrichtendienst... 2017). For greater clarity, the presence of differences and similarities in the content will be presented in the Table 1.

Analysing the information contained in Table 1, it can be stated that the majority of legislators in eleven countries considered it necessary in the first chapters (sections) of the laws to cover the legal categories denoting the purposes of intelligence activities, its legal basis, principles, and also to designate the legal status

of the foreign intelligence body. The legislators of the four countries considered it correct to include in the act a list of basic terms (concepts) that describe the core of intelligence activities, which will be discussed in more detail in the next paragraph of the study. The noted gives grounds to assert that this minimum, allocated by the legislators, must necessarily be presented in the legislative act on intelligence.

As for other legal categories, it is advisable to cover them not in the “General Provisions”, but in the text of the act itself within the framework of a separate chapter or section. For example, the control and oversight of the activities of the intelligence agency, or of all actors in the intelligence community, requires a statutory definition by many clauses combined into a chapter or section. This chapter (section) should have legal prescriptions: on general grounds for exercising control and supervision, including on ways to resolve the contradiction between democratic open control and secret intelligence activities; on control by all branches of government, while presidential, parliamentary, and judicial control should be spelled out in detail in separate articles; on departmental control and supervision by the prosecutor’s office; on state external financial control; on democratic public and civil control with a detailed statement of the forms and methods of this control, etc. The same applies to tasks, functions, powers, rights and obligations, financial and logistical support, etc.

#### **LEGAL DEFINITIONS OF THE MAIN LEGISLATIVE CATEGORIES REFLECTING PUBLIC RELATIONS IN THE SCOPE OF INTELLIGENCE ACTIVITIES**

In recent years, it has become traditional and even fashionable to give a list of key terms and cover their content at the beginning of legislative acts. However, the previous paragraph clearly indicates that less than half of the legislators from eleven countries (Table 1) considered it necessary to implement this in the first structural parts of the laws and open the categories with legal definitions, that is, for many lawmakers this has not yet become a tradition.

The defined legal categories help legislators define the core of intelligence activities, cover the key points of public relations regulated by law, combine the categories into a single logical scheme, open them for an accurate and uniform understanding and perception of all legal prescriptions contained in the act. It is no coincidence that scientists from the Geneva Centre for Democratic Control of Armed Forces (DCAF), for their scientific article (Intelligence Legislation Model...

**Table 1: The Content of the Structural Part of the Legislative Act of Some Countries on Intelligence Called “General Provisions”**

Contents of articles (in the chapter or section “General provisions”)	Greece	Kazakhstan	Ukraine	Russia	Georgia	Bulgaria	Estonia	Poland	Bosnia and Herzegovina	Spain	Lithuania
Clarification, interpretation of basic terms (concepts)		+	+		+						+
Purpose and scope of regulation of the law					+	+	+				+
Purposes of intelligence activities	+			+	+		+	+	+	+	+
Legal framework	+	+	+	+	+	+			+		+
Intelligence principles		+	+	+	+	+	+			+	+
Tasks		+	+			+		+			
Functions										+	
Methods and means			+		+						
Foreign intelligence				+	+	+		+	+	+	
Prohibition to conduct intelligence to other government agencies other than intelligence services									+		
Dislocation of the central office and the procedure for adopting the main departmental regulation									+		
Intelligence activities				+	+						
Intelligence information						+					
Powers of intelligence agencies				+							
Financial and logistical support				+				+	+		
Protection of information about intelligence agencies				+					+		
Public relations				+							
List of intelligence services	+	+									
Executive authorities in the management of intelligence	+							+			
Grounds for intelligence	+										
Parliamentary, civil, and executive control	+							+			
Spheres (directions) of activity of intelligence services					+						
Participation in the activities of the NATO and EU intelligence communities						+					
Prohibition on the performance of tasks of an internal political nature						+					
Fight against criminal offences							+				
Submission of the head of intelligence								+			
International cooperation in the fight against cross-border crime								+			
Promoting intelligence by businesses, institutions, and organisations								+	+		
Obtaining and using cover documents										+	
The right to use weapons										+	

Note: The “+” sign indicates the presence of the interpretation of the legal category in the “General Provisions” section of the legislative act.

Table 2: Key Terminology in Legislative Acts on Intelligence

Key terms	Netherlands	Kazakhstan	Ukraine	Ukraine 2*	Belarus	Georgia	Turkey	Uzbekistan	Lithuania	Russia **
Intelligence Service	+				+		+			
Co-ordinator	+									
The relevant Minister	+									
Information	+									
Personal data	+									
Information processing or the processing of information	+									
Supervisory committee	+									
State security								+		
Own security				+						
Ensuring national security									+	
Intelligence				+					+	
Foreign intelligence		+			+					+
Foreign counterintelligence activities						+				
Intelligence activities		+	+	+				+	+	
Intelligence information		+	+	+	+	+			+	+
Intelligence activity				+						
Intelligence agency			+	+					+	+
Forces and means of reconnaissance				+						
Intelligence officer				+			+			
Intelligence consumers				+						
Intelligence personnel							+			
Intelligence officers							+			
Undercover employee				+						
Special (active) operations				+						
Intelligence equipment				+						
Subjects of foreign intelligence					+					
National intelligence programme						+				
Intelligence officer									+	
Secret intelligence officer									+	
Cover organisation									+	
Family members									+	
Classified information									+	

Note: "+" – the interpretation of the legal category in the legislative act; \* – Draft Law of Ukraine "On Intelligence" (2020); \*\* – Categories are covered in the text of the Law of the Russian Federation "On Foreign Intelligence" (1995).

2002), have chosen the Netherlands Intelligence and Security Services Act (2016) as a model law on intelligence. It was in the first article of the first chapter of this law that the Dutch legislator included such a list and revealed the key terms used in the law. Using the

legislation of nine countries as an example, the study will analyse the quantitative features of these lists, as well as the completeness and quality of coverage of certain categories by legal definitions.

Table 2 shows that, in total, all legislators have identified and defined quite a few categories, but most effort has been made by the representatives of the Netherlands (seven categories), Lithuania (ten categories), and Ukraine (twelve categories in the draft law, which passed the second reading in the Verkhovna Rada). In the laws of most countries, four legal categories are listed and covered – “intelligence activity”, “intelligence information”, “foreign intelligence”, and “intelligence agency (intelligence service)”. Below the study analyses these categories from the standpoint of the fundamental requirements for legal definition, which make provision for a uniform understanding of the provisions of law not only of a particular act, but of all legislation as a whole. Failure to comply with this principle means the creation of a situation of uncertainty, in which the law enforcement officer will be incapable of accurately and clearly understanding how they should act in each particular case, since one definition sets out one interpretation of the term, while the other – completely different” (Dudyryn 2015). The point is that the following principles are not observed: “one term – one definition” and exclusion of “multiple definitions of the same legal category” (Dudyryn 2015). For example, the Law of Ukraine “On Intelligence Bodies of Ukraine” (2011) gives one definition of the category of “intelligence activity”, and the Law of Ukraine “On the National Security of Ukraine” (2018) – another.

It is quite reasonable to transpose the need to comply with these principles to the legislation of several countries, especially those who are within the framework of certain unions or associations (NATO, European Union, Council of Europe, Commonwealth of Independent States, etc.). In the intelligence legislation of these countries, the definitions of the main legal categories cannot be very different, which, unfortunately, is a real fact at the present time. Thus, the Dutch legislator defines the category “Intelligence Service” simply by calling them “the General Intelligence and Security Service or the Defence Intelligence and Security Service” (Intelligence and Security Services... 2016), and the Lithuanian legislator gives a detailed definition: “a unit(s) of a state body with special powers, who is entrusted with the implementation of intelligence activities by this Law” (Law of the Republic... 2000). A similar picture can be observed in relation to other categories.

Comparing various options for defining legal categories, one can also notice two extremes, when the legislator defines them in too detail, taking into

account a variety of scientific opinions and national legal traditions, and vice versa, when the definitions clearly suffer from brevity and excessive generalisation. This study, without pretending to be original and complete, offers the author's versions of the main legal categories:

- intelligence information – information and data procured and obtained as a result of the use of reconnaissance forces and means and related to national security and defence;
- foreign intelligence – an institutional category that defines the totality of state institutions carrying out intelligence activities outside national territories and being part of the forces to ensure the national security of the state from external threats;
- intelligence body – a state body in the system of executive authorities that performs a special function to ensure the national security of the state from external threats and is endowed with special competence to implement this function;
- intelligence service – structural subdivision of the subject of intelligence activity (Ministry of Defence, Ministry of Foreign Affairs, Border Agency, etc.);
- intelligence activities – a system of public and covert intelligence activities planned and implemented with the use of forces and means of operational units of intelligence agencies.

Despite the considerable list of categories preferred by the legislators of the countries indicated in Table 2, nevertheless, it is necessary to give due credit to the Dutch legislators, who were the only ones of all to include in the list and disclose a very important legal category. This is the category “information processing or the processing of information”. This category is no less significant than the categories “information” or “intelligence information”. All intelligence activities are permeated and associated with the operation of information. The Dutch legislators very accurately covered it as “any action or any set of actions regarding information, including in any case collecting, recording, arranging, storing, updating, altering, retrieving, consulting or using information, disseminating information by means of forwarding, distributing information or any other form of making available of information, and the assembling, interrelating, protecting, exchanging or destroying of information”

(Intelligence and Security Services... 2016). This is a good a model of an accurate, concise, and understandable definition for the legislators of other countries as any.

## CONCLUSIONS

This study attempts to answer the following questions: what are the features of the application of the rules of legal technique in the legislation on intelligence; what are the essence and functional purpose of legal categories in intelligence legislation; what points must be necessarily reflected in the content of the main legislative categories governing public relations in the field of intelligence agencies.

The conducted comparative study indicates a significant diversity and completely different approaches of legislators from different countries to the problems of singling out, including, and defining the main legal categories in the legislative acts on intelligence. However, there is also something in common, which is already clearly visible and gives reason to assume that in the near future the question of developing model laws on intelligence will be raised, which will help legislators of different countries freely navigate the complex problems of legal regulation of intelligence activities and more competently and efficiently develop and improve the current legislation.

## REFERENCES

- Ananeva, Anna. 2016. "Legal structure": To the question of the definition of the concept". *News of the Irkutsk State Economic Academy* 26(1): 141-148.
- Averyanova, Natalia. 2018. "Legal category" as an instrument of scientific knowledge (on the example of "land" as a category of constitutional law)". *Bulletin of the Saratov University. New Series. Series Economics. Control. Right* 18(4): 450-454. <https://doi.org/10.18500/1994-2540-2018-18-4-450-454>
- Born, Hans and Aidan Wills. 2012. *Overseeing Intelligence Services*. Geneva: DCAF.
- Born, Hans and Geisler Mesevage. 2012. "Introducing Intelligence Oversight". Pp. 6-17 in *Overseeing Intelligence Services – A Toolkit*. Geneva: DCAF.
- Born, Hans and Ian Leigh. 2005. *Understanding of Special Services: Legal Norms, Experience and Recommendation*. Oslo: Publishing House of the Norwegian Parliament.
- Born, Hans, Ian Leigh and Aidan Wills. 2015. *Making International Intelligence Cooperation Accountable*. Geneva: DCAF.
- Debaene, Stijn, Raf van Kuyck and Bea van Buggenhout. 1999. "Legislative Technique as Basis of a Legislative Drafting System". Pp. 23-34 in *Legal Knowledge Based Systems, JURIX 1999, The Twelfth Conference*. Nijmegen: GNI.
- Draft Law of Ukraine "On Intelligence". 2020. Retrieved November 06, 2020 ([http://search.ligazakon.ua/l\\_doc2.nsf/link1/JI01174A.html](http://search.ligazakon.ua/l_doc2.nsf/link1/JI01174A.html))
- Dudyryn, Denys. 2015. Requirements for legal definition. Retrieved November 29, 2020 (<https://cyberleninka.ru/article/n/trebovaniya-k-pravovoy-definitsii>)
- Fedulova, Maria. 2017. "Legal terminology as an integral part of terminological science". *Linguistics. Bulletin of Kostroma State University* 4: 192-194.
- Fluri, Filipp and Valentyn Badrak. 2011. *Democratic Civilian Control over the Security Sector: Current Sources*. Kyiv: Center for Army Research, Conversion and Disarmament.
- Gesetz über den Bundesnachrichtendienst (BND-Gesetz – BNDG). 2017. Retrieved November 14, 2020 (<https://www.gesetze-im-internet.de/bndg/BJNR029790990.html>)
- Hayez, Philipp. 2011. "National Oversight of International Intelligence Cooperation". Pp. 151-169 in *International Intelligence Cooperation and Accountability*. London: Routledge.
- Intelligence and Security Services Act. 2016. Retrieved November 11, 2020 (<https://english.ctivd.nl/documents/brochures/2016/22/04/index>)
- Intelligence Legislation Model: The Netherlands Intelligence and Security Services Act. 2002. Retrieved November 22, 2020 ([https://ukrainesecuritysector.com/wp-content/uploads/2016/08/Netherlands\\_EN-2.pdf](https://ukrainesecuritysector.com/wp-content/uploads/2016/08/Netherlands_EN-2.pdf))
- Intelligence Services Act. 1994. Retrieved November 18, 2020 (<http://www.legislation.gov.uk/ukpga/1994/13/contents>)
- Lavrushkina, Alina. 2015. "Structurality of regulatory legal acts in the Russian Federation as a problem of legal technology". *Models, Systems, Networks in Economics, Technology, Nature and Society* 4(16): 237-244.
- Law of Spain "On the National Intelligence Centre". 2002. Retrieved November 13, 2020 (<https://www.boe.es/buscar/act.php?id=BOE-A-2002-8628>)
- Law of the Republic of Lithuania "On Intelligence". 2000. Retrieved November 02, 2020 (<https://www.legislationline.org/ru/documents/action/popup/id/14923>)
- Law of the Russian Federation "On Foreign Intelligence". 1995. Retrieved November 23, 2020 ([http://svr.gov.ru/svr\\_today/doc02.htm](http://svr.gov.ru/svr_today/doc02.htm))
- Law of Ukraine "On Intelligence Bodies of Ukraine". 2011. Retrieved November 14, 2020 (<https://zakon.rada.gov.ua/laws/show/2331-14>)
- Law of Ukraine "On the National Security of Ukraine". 2018. Retrieved November 30, 2020 (<https://zakon.rada.gov.ua/laws/show/2469-19#Text>)
- Legge "Sistema di informazione per la sicurezza della Repubblica e nuova disciplina del segreto". 2007. Retrieved November 10, 2020 (<https://www.sicurezza nazionale.gov.it/sisr.nsf/documentazione/normativa-di-riferimento/legge-124-2007.html>)
- Marín, Maria and Camino Rea. 2014. *Researching legal terminology: A corpus-based proposal for the analysis of sub-technical legal terms*. Retrieved November 07, 2020. <https://doi.org/10.4000/asp.4572>
- Shutak, Illya. 2015. "Legal technique: Approaches to the division into types". *Problems of Legality* 130: 3-10. <https://doi.org/10.21564/2414-990x.130.53796>
- Vasilevich, Sergey. 2017. "On the question of the structure of an act of legislation (Belarusian experience). Theory and methodology of legal science". *Monitoring Enforcement* 3(24): 34-38.
- Wills, Aidan. 2010. *Understanding Intelligence. Oversight*. Geneva: DCAF.
- Zamorskaya, Liubov. 2013. "Value and normative characteristic of law: Conceptual approach". *Business. Education. Right* 1(22): 38-41.

Received on 20-11-2020

Accepted on 18-12-2020

Published on 31-12-2020

DOI: <https://doi.org/10.6000/1929-4409.2020.09.377>

© 2020 Volodymyr V. Proshchaiev; Licensee Lifescience Global.

This is an open access article licensed under the terms of the Creative Commons Attribution Non-Commercial License (<http://creativecommons.org/licenses/by-nc/3.0/>) which permits unrestricted, non-commercial use, distribution and reproduction in any medium, provided the work is properly cited.