



Some Aspects of Cooperation of Internal Affairs Authorities with National Guard Units in Ensuring Public Order and Security

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<http://dx.doi.org/10.47814/ijssrr.v6i1.883>

Abstract

In the article, the legal and organizational basis of cooperation of the national guard units and internal affairs bodies in maintaining public order and ensuring safety is scientifically analyzed and suggestions and recommendations are given for improving the field theoretically and practically. In addition, the results of the reforms implemented in this field were scientifically analyzed with opinions and comments being expressed about their role in the life of society.

Keywords: *Maintaining Public Order; Ensuring Public Safety; Internal Affairs Bodies; National Guard Units; Patrol; Post; Patrol Service; Cooperation*

Introduction

Within the large-scale reforms implemented in Uzbekistan, special attention is being paid to ensuring a peaceful and tranquil life for the population and forming a culture of law-abidingness and public safety in society.

In particular, completely new mechanisms and procedures for organizing work in public safety based on the principle of “serving the interests of the people” were introduced, and mutual purposeful cooperation of state bodies with public structures was established.

At the same time, various dangers and conflicts that are intensifying in the world, threats to the peace and tranquility of the country, pandemics, and natural and man-made disasters impose the task of further improving their activities based on the priority idea of “Every effort for human dignity” (Decree No. PF-27, 2021).

Therefore, under the initiative and leadership of the President of the Republic of Uzbekistan, significant work was carried out based on the laws adopted in recent years to improve the functioning of

Internal affairs and National guard bodies to maintain public order and ensure security. In particular, strengthening work methods, issues of public service, cooperation mechanisms, the level of introduction of digital technologies, and measures to organize spiritual and educational work with personnel became one of the important directions of systematic work in this regard. Moreover, based on the crime situation in the regions, it was decided to categorize each district, city, and neighborhood and to attract all the necessary forces and means to eliminate “crime hotspots” in cooperation with city administrations, sectors, and the public (Decree No. PF-6196, 2021).

In a word, as the legal scholars who have conducted scientific research in this field correctly stated, the reforms implemented in the activities of the Internal affairs bodies and the National Guard are aimed at strengthening law and order, protecting the rights and freedoms of citizens, maintaining public order and increasing the effectiveness of public safety (Selimanova, 2021, 57).

The Main Part

It is known that any state body cannot ensure the effectiveness of its activities within its internal capabilities without organizing cooperation with other structures. In particular, the Internal affairs bodies cooperate with network services, other law enforcement agencies, and state and public organizations to implement the tasks assigned to them (Ziyodullaev, 2008, 114).

One of the main conditions for the effective provision of public safety is the cooperation of all types of forces and means involved in this activity as well as other state bodies and the public (Sharipov, 2022, 21).

It is known that today the cooperation between Internal affairs and National guard bodies is strengthened in legal documents. In particular, the regulatory legal documents state that the Internal affairs bodies carry out their activities openly and transparently, cooperating with state bodies, self-government bodies of citizens, other organizations, citizens, and mass media (Law of the Republic of Uzbekistan on internal affairs bodies, 2017). They also state that in performing the assigned tasks, the National guard cooperates with state bodies and other organizations, institutions of civil society, and citizens by the law (Law of the Republic of Uzbekistan on the National Guard, 2020).

The laws of the Republic of Uzbekistan “On Internal Affairs Bodies” and “On the National Guard” are an important legal basis in this regard. The organizational basis of mutual cooperation between the Internal affairs and National guard is determined in the sub-legal documents adopted based on this law, i.e. Presidential decree, decree and order, the decision of the Cabinet of Ministers, as well as departmental normative legal documents and joint decisions. In particular, the Law of the Republic of Uzbekistan “On Internal Affairs Bodies” and the Presidential decree PD-5005 (April 10, 2017) “On the measures to strengthen their responsibility in a fundamental improvement of the efficiency of the internal affairs bodies and ensuring reliable protection of the public order, rights, freedoms and legal interests of citizens ensuring their” aiming at ensuring the implementation of the tasks defined in the Action Strategy for the five priority directions of the development of the Republic of Uzbekistan in 2017–2021 is an important document that legally regulates the activities of maintaining public order and ensuring security. The decree clearly delimits the tasks, functions and responsibilities of the subjects of maintaining public order and security, excludes repetitive and obsolete powers, strengthens the level of material and technical support that ensures the promptness and efficiency of units, improves modern scientific and technical tools and information and communication technologies, including the quality of public services.

The following important documents, which play a key role in the legal regulation of the activities of Internal affairs and National guard to maintain public order and ensure security, adopted within the framework of the implementation of the above-mentioned decree, i.e. the Resolution of the President of the

Republic of Uzbekistan PR-3528 (February 14, 2018) “On introduction of a qualitatively new system of maintaining public order, prevention of offenses and fighting crime in the city of Tashkent, PR–3786 (June 19, 2018) “On additional measures to ensure public order, increase the effectiveness of prevention of offenses and fighting crime in Tashkent” and PR–4075 (December 24, 2018) “On additional measures to increase the effectiveness of public safety” were of great importance in the effective organization of the activities of the departments of internal affairs bodies for maintaining public order and ensuring safety, and the wide introduction of advanced work methods and modern technologies to their activities in the capital city Tashkent.

In particular, by the Resolution of the President of the Republic of Uzbekistan PR–3528 (February 14, 2018), the Internal affairs departments reorganized in the city of Tashkent were entrusted with the responsibility for maintaining public order in the regions of the sectors, and their leaders were given rights to assign the daily deployment of the patrol post service teams assigned to the area.

Based on the Resolution of the President of the Republic of Uzbekistan PR–3786 (June 19, 2018), the concept of “Safe capital”, which provides for a new system of public order in Tashkent, was introduced, and a three–shift patrol regime was established from 4 p.m. to 8 a.m. involving Internal affairs bodies, at least 70 percent of the public order forces of the National Guard units as well as members of the society. The resolution also determines that the nonexistence of violation cases of public order in the area assigned for patrolling, their timely prevention, and putting an end to them are considered the most important criteria for evaluating the activities of public order enforcement forces operating in the evening and at night; as part of the implementation of the concept, the practice of coordination of public order enforcement forces and the operation of mobile communication centers were introduced and they were attached to the service areas of Internal affairs departments; “Valorous Youth” public patrol groups were organized in each neighborhood of Tashkent city (Ziyodullaev, 2008, 114).

Resolution PR–4343 (May 29, 2019) of the President of the Republic of Uzbekistan “On the introduction of a qualitatively new system of managing the forces and means of Internal affairs bodies in the field of crime prevention and crime fighting in Tashkent region” plays a significant role in maintaining public order, improving the quality level of crime prevention and crime fighting in the Tashkent region, as well as in the introduction of an effective system of control and management of the forces and means of the Internal affairs and National Guard units for maintaining public order and ensuring security. In particular, following the resolution, the daily duties of the Internal affairs bodies of the Tashkent region for maintaining public order and ensuring security are distributed directly by the region; heads of regional areas were given the right to determine the daily location of patrol post service teams; the procedure for conducting joint patrol service in the districts (cities) of the Tashkent region as part of the forces of the National Guard and Internal affairs bodies to ensure public order was introduced.

In order to strengthen peace and stability in the country, large–scale democratic reforms in the system of ensuring the security of the state, society, and individuals are being consistently carried out. In particular, in order to ensure public safety, decree PD–6196 (March 26, 2021) of the President of the Republic “On measures to raise the quality of internal affairs bodies functioning to a new level in the field of ensuring public safety and fighting crime” was adopted to strengthen law and order and legality in the country through forming an integrated system of crime fight and crime prevention, establishing effective functioning of Internal affairs bodies from the lowest level to the republic level, and introducing modern working methods.

According to the decree, the following were determined as completely new mechanisms for organizing the functioning of Internal affairs bodies to maintain public order and ensure safety:

firstly, it was determined that neighborhood law enforcement centers will be established step by step based on the base points of the Internal affairs bodies. According to it, the local law–enforcement

center is considered to be the main subordinate link of ensuring public safety in the area, preventing crime, and fighting crime, and on its basis, the relevant sectoral services of the Internal affairs bodies, the coordinated activities of the National Guard and other state bodies, and the systematic organization of public safety and the task of coordination were assigned to the prevention inspector;

secondly, with this Decree, the “roadmap” for further improvement of the Internal affairs bodies system was approved. Following it, it was decided to introduce a qualitatively new system of ensuring public safety, which provides for the following: approval of the concept of public safety of the Republic of Uzbekistan; establishment of new mechanisms for cooperation between patrol post and road patrol services, crime prevention and probation service units; determining the powers and personal responsibility of National guard units in the public order system; improving the effectiveness of probation units by introducing cooperation mechanisms with preventive inspectors in the daily control of the behavior of persons under probation control (Ziyodullaev, 2008, 114).

In order to further increase the role and responsibility of Internal affairs bodies in ensuring the effective implementation of the new mechanisms being established to ensure public safety, PR–5050 (April 2, 2021) of the President of the Republic of Uzbekistan “On additional organizational measures to further improve the functioning of internal affairs bodies in the field of ensuring public safety and combating crime” was adopted (Ziyodullaev, 2008, 114).

Following the resolution, in order to effectively organize internal affairs bodies functioning of Tashkent city and Tashkent region to ensure public safety, a new management system was introduced, which provides for the following: firstly, it was decided to ensure public security in Tashkent city and Tashkent region by mobilizing the existing forces and means of Internal affairs and other competent bodies in these areas based on the principle of a single “capital region”; secondly, in the event of a mass violation of public order, the single operational management of all the Internal affairs bodies in the capital, as well as the forces and means of the competent state bodies and public structures for ensuring public safety, was entrusted to the General Administration of Internal Affairs of Tashkent city, and the overall management was entrusted to the Minister of Internal Affairs.

In order to effectively organize work based on the single “capital region” principle, the Coordinating Council for Public Safety was established under the co-chairmanship of the heads of the main departments of Internal affairs of Tashkent city and Tashkent region. The heads of the National guard departments of Tashkent city and Tashkent region were considered the deputies of the chairman of this Council. It was determined that the council meetings will be held at least once a month and that targeted measures will be determined to solve the problems identified as a result of the analysis of the criminal and social situation in the capital region.

At the same time, the Unified Operational Management Center was established under the General Directorate of Internal Affairs of the city of Tashkent, and the following main tasks were assigned to it: firstly, continuous monitoring of the criminal and social situation in the capital region, management of the relevant forces and means of the internal affairs bodies, the National Guard, the Ministry of Emergency Situations and the Tashkent city administration involved in ensuring public safety; secondly, to respond quickly to reports of crimes, incidents, and emergencies, to centrally coordinate the actions of competent authorities in the event of mass violations of public order.

The resolution PR–5077 (April 15, 2021) of the President of the Republic of Uzbekistan “On measures to further improve the system of training professional personnel in the field of public safety” was adopted to prevent any threats to the peace and tranquility of the country, to organize a system of highly qualified specialists training in the field of maintaining public order and security based on advanced international standards, and to increase the personnel potential of the units in this field due to

the requirements of the times. According to the resolution, the Military–Technical Institute of the National Guard was reorganized into the Public Security University of the Republic of Uzbekistan.

For the Ministry of Internal Affairs, targeted training of qualified personnel in the areas of maintaining public order, road safety, and implementation of the requirements of the passport system was launched at the university. Also, in-depth training of qualified specialists capable of effective organization of public safety in relevant specializations and jurisprudence, as well as targeted training through combat and physical training were determined as the main directions of the university's activities (Ziyodullaev, 2008, 114).

Following the Decree PD–6196 of the President of the Republic of Uzbekistan dated March 26, 2021 “On measures to raise the Internal affairs bodies functioning to a new level in terms of quality in the field of ensuring public safety and fighting crime”, also, in order to further develop the system of public safety in the country and to determine the prospective directions of the state policy in this field, another important document, the Decree PD–27 (November 29, 2021) of the President of the Republic of Uzbekistan “On approval of the concept of public safety of the Republic of Uzbekistan and measures for its implementation” was adopted.

According to the decree, the following was determined:

- firstly, it was determined that the organization of public order in the Republic of Karakalpakstan, regional centers, and Tashkent during public events and in parks, avenues and markets will be carried out directly by National guard units;
- secondly, tasks were defined for the National Guard, along with the Internal affairs bodies, to review cases of administrative offenses committed in the field of maintaining public order;
- thirdly, the Ministry of Internal Affairs and the National Guard were strengthened as public security entities and their specific powers were defined.

Following the “Strategy for the development of the public safety system in the Republic of Uzbekistan in 2022-2025” approved based on this decree, the following tasks were defined:

- firstly, to improve the special technical means used by the National Guard and Internal affairs bodies during the elimination of group violations and mass disturbances, as well as the rapid exchange of information, the rational management of units in the subsystem, and the improvement of the mechanisms for ensuring the safety of citizens;
- secondly, to establish the continuous operation of car patrols, horse and foot patrols consisting of military personnel and employees of Internal affairs bodies and National guard units at night in the areas considered to be “crime hotspots”, defining the scope of their authority and confirming their functional obligations;
- thirdly, to expand the authority of the National Guard and Internal affairs bodies responsible for maintaining public order to detect violations and apply administrative sanctions;
- fourth, to establish effective mechanisms for coordinating the activities of the public order units of the National Guard and Internal affairs bodies and the public patrol groups of “Valorous Youth”;
- fifth, to develop and fully implement the unified automated information system “E-public safety” based on the information systems of the units involved in maintaining public order from the National Guard and Internal affairs bodies (the centralized electronic system of probation, the unified automated information-analytical system of the traffic safety service).

When considering the issues of organizing mutual cooperation between Internal affairs and National guard bodies in the field of maintaining public order and ensuring security, it is appropriate to first define the concept of mutual cooperation in the studied object.

Mutual cooperation in ensuring public order and security is the effective use of the forms and methods of activity and service authority of the subjects engaged in this activity based on the law and the normative legal documents under the law [8, 38], in which two or more services, i.e. individual participants of the management that are not subordinated to each other perform their actions in agreement with each other (Afanasev, 1990, 104). As criminologist Z.S. Zaripov said, the organization of cooperation can be viewed as the creation of a goal that includes issues such as the division of labor in the system of Internal affairs bodies, and the distribution of tasks and responsibilities among structural units. The goal of mutual cooperation system means the correct distribution of forces and means in solving the common tasks facing the management system (Pulatovm 2005), 57).

It is possible to agree with the opinion of the legal scientist who conducted research in this regard—that the tasks carried out in cooperation with state bodies and institutions, and public structures are carried out following joint decisions, plans, instructions, and guidelines (Sharipov, 2020, 76).

Studies show that the effective organization of mutual cooperation in the field of maintaining public order and security of Internal affairs and the National guard bodies largely depends firstly, on the legal regulation of this cooperation; secondly, on the clear determination of the main directions, methods and forms, forces and means of mutual cooperation, as well as on the clear limitation of the cooperation by the scope of functional powers; thirdly, on the creation of an information environment, which is an important condition for cooperation; fourth, on joint planning of cooperation, effective implementation of plans and joint analysis of work results.

Conclusion

In conclusion, it should be noted that the improvement of the legal and organizational–tactical foundations of the mutual cooperation of Internal affairs and the National Guard in the field of maintaining public order and ensuring security safety allows them to effectively organize their function to take measures on identifying, preventing and eliminating anti–social behavior directed against public order and citizens’ safety.

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