

**Abstract****TRENDS IN THE DEVELOPMENT OF THE LEGAL
STATUS OF EMPLOYEES IN THE INTERNAL AFFAIRS
BODIES OF THE REPUBLIC OF UZBEKISTAN****Akhmedov Bakhodir Ismailovich****Chief Inspector of the Organizational and Staffing Group of the
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This article analyzes the trends in the development of the legal status of employees in the internal affairs bodies of the Republic of Uzbekistan. It examines issues of employee rights and obligations, recruitment, service, and social guarantees in the context of historical processes from the Soviet period to the years of independence, the formation of the legislative framework, and modern reforms. Particular attention is given to reforms since 2016 aimed at transparency, professionalization, digitalization, and observance of human rights. The article analyzes trends in adapting the status of internal affairs officers to international standards, combating corruption, and meeting modern requirements. It also proposes prospects for further development and solutions to existing problems.

Keywords: Law on Internal Affairs Bodies, internal affairs bodies, service in internal affairs bodies, legal status of internal affairs bodies, rights and freedoms, obligations, prohibitions, legal norms.

The acceleration of global integration processes necessitates establishing the legal status of individuals, including the implementation of effective mechanisms for guaranteeing citizenship. In the new Uzbekistan, within the framework of implementing the Action Strategy and the Development Strategy, large-scale reforms are being carried out to guarantee the legal status of individuals, with the main focus on reducing statelessness, liberalizing the grounds and conditions for granting citizenship, and simplifying procedures for recognizing a person as a citizen.

From this perspective, the study of issues related to the scientific-theoretical and practical aspects of an individual's legal status, including matters of citizenship, has become a pressing issue in both legal science and law enforcement practice.

In general legal theory, when defining the place and role of an individual in society and the state, the term "legal status of the individual" is typically used, which is regulated by all branches of national law.

This concept implies that a person, as a subject of law, can enter into social relations regulated by all legal norms (including civil, family, labor law, etc.). This means that this category is broader in content than others and occupies a central place in the theory of general law.

The Russian scholar G.V. Maltsev says about this: "The system of rights and obligations is the core, the center of the legal sphere, and in it lies the key to solving the main legal problems"[1]. E.A. Lukasheva, agreeing with this opinion, recognizes the system of "citizenship," "general jurisdiction," "legal responsibility and guarantees" as secondary elements in the system of the legal status of the individual[2].

N.I. Matuzov, taking into account the etymological aspect of the studied categories and considering the proposals put forward by scientists regarding the need to distinguish between the concepts of "legal status" and "legal status" of a person unfounded, argues that there is no theoretical or practical need to use these terms legally in two senses[3]. Scholars such as D.M. Mirazov and I.T. Tulteev also understand "the legal status of an individual (citizen) " as their legal status in society and the state, enshrined in the Constitution and laws[4].

In the views of E.T. Khodzhiev, G.S. Ismailova, and M.A. Rakhimova[5], "status" in the social sense is defined as: 1) a set of rights and obligations that determine the legal status of a person; 2) mandatory and, if possible, moral norms of a person established by the state and society (guarantees, benefits, prohibitions, restrictions, liability); 3) a person's point of view on established rights and obligations; 4) form of social morality and 5) social position. This substantiates the broad scope of personality status and shows that it is impossible to fully agree with the opinions of the supporters of the first approach.

Moreover, the term "status," which is used in a number of encyclopedic dictionaries as an alternative to the concept of "status" in science and legislation, means "state," "status"[6] in Latin, which means that their goals of legal regulation are fully compatible with each other. In this sense, according to Professor Dj.Kh. Yuldashev[7], the concepts of legal status and legal status are considered equivalent, and they are based on the actual social status of the individual in society. We also agree with this opinion and believe that in order to protect the rights and freedoms of all citizens, as well as employees of the internal affairs bodies, it is necessary to define its basic status and enshrine it in legislation.

The adoption of the Law "On Internal Affairs Bodies," adopted in the Republic of Uzbekistan on September 16, 2016, provides an opportunity to regulate the activities of internal affairs bodies and determine their legal status, ensure public order, clarify the law, law enforcement functions of internal affairs bodies and effectively organize their activities, ensure equality in the activities of internal affairs bodies, increase the professional level of internal affairs officers requiring special knowledge and skills, establish effective communication between internal affairs bodies and the population, take into account public opinion, ensure the rule of law in the activities of internal affairs bodies, and increase the effectiveness of the fight against crime.

According to N.P. Mayurov and G.L. Konstantinov, the term "employee" has two meanings:

- 1) working together during the course of service, partner, assistant, business partner;
- 2) the name of a representative of the professional team of workers as workers and representatives of certain specialties (for example, a researcher) or a special category of workers in general[8].

The Law "On Internal Affairs Bodies" defines three mandatory characteristics of an internal affairs officer:

- 1) have citizenship of the Republic of Uzbekistan;
- 2) in positions of rank-and-file or command personnel;
- 3) the presence of a special rank of rank-and-file or command staff of internal affairs bodies[9].

For the first time at the legislative level, the foundations of legal regulation of the status of an internal affairs officer have been separately defined, including:



1) in the Law "On Internal Affairs Bodies";

2) "Joint Resolution on Improving the Procedure for Appointing and Conducting Official Inspections Against Employees of Internal Affairs Bodies";

3) Decree of the President of the Republic of Uzbekistan "On Additional Measures to Transform Internal Affairs Bodies into a People-Oriented Professional Structure and Orient it towards Closer Cooperation with the Population"[10];

4) "On Measures for the Fundamental Improvement of the Procedure for Working with Personnel of Internal Affairs Bodies and the Organization of their Service"[11];

It is impossible not to note as a positive fact a more accurate description of the norms of legislation on the main features of the legal status of an employee of the internal affairs body, such as an official certificate and a special breastplate. The fact is that in the previously existing regulation on service in the internal affairs system, the legal norms were formulated in such a way that the main point was the legal action to issue a service certificate and a badge to the employee. In this sense, the new law complements the legal gap, closely linking the purpose of the official identification card with the presence of the legal status of an internal affairs officer. Moreover, an employee's service ID, in essence, is equivalent to a document certifying the employee's identity in accordance with the law.

Unfortunately, in the adoption of the Law "On Internal Affairs Bodies," we see that there is no clear description of the content of the legal status of an internal affairs officer, and it is necessary to include this concept in one of the main articles of the law. Also, the introduction of this concept in the current law on internal affairs bodies was ignored. "An employee of the internal affairs bodies performs duties and exercises rights in accordance with the current legislation, the oath, this law, the regulations, and the employment contract within the limits of their powers in the position held."

However, in the Law "On Internal Affairs Bodies," there is a need for a deeper development of individual elements of the legal status, including the rights of the employee. We believe that the introduction of this general legal concept will lead to a clear definition of the rights and freedoms, obligations, and legal status of employees.

Legal status is a fundamental element of the system of legal norms that determines the legal status (status) of a specific subject of legal relations. This right stems from the essence of the official activity of an internal affairs officer and is aimed at the successful implementation of this activity. This legal status, which is an indispensable condition for the strict performance of official duties by an employee of internal affairs bodies, is aimed at ensuring their normal professional activity. Great importance is attached to this right, since the performance of official duties in accordance with the labor regulations (position description) is one of the main duties of an internal affairs officer. A citizen and an employee of the internal affairs bodies entering service in the internal affairs bodies, when concluding a service contract to fill a position, are obliged to perform their official duties in accordance with official laws, regulations, and comply with the orders of the internal affairs body.

In accordance with the labor legislation of the Republic of Uzbekistan[12], the right of employees to rest is necessary and mandatory.

The right to rest for employees is specified in Article 30 of the Law "On Internal Affairs Bodies," which states:

Employees of internal affairs bodies are granted annual paid leave of thirty calendar days, including the time necessary for travel to and from the place of vacation, but not exceeding three days.

Employees of internal affairs bodies are awarded for the following calendar service periods:

after ten years of service - five days;

after fifteen years of service - ten days;

after twenty years of service - additional paid leave of fifteen days.

Employees of internal affairs bodies may also be granted other types of leave in the manner prescribed by law. The right to monetary allowances, which is the main means of providing material support and stimulating the performance of official duties[13];

At the same time, the employee is guaranteed not only the monetary allowance itself as the main type of material incentive, but also other payments, including those stipulated by the contract for service in the internal affairs bodies.

In conclusion, the establishment of the rights and freedoms of internal affairs officers by law, along with its positive aspects, contributes to ensuring their effective activity. The main positive aspects of such legislation are:

ensures the clear definition of the rights and freedoms of employees, their legal protection;

Since the activities of employees of internal affairs bodies are related to ensuring public safety, it is important to define their rights to personal safety;

promotes legislation, the creation of opportunities for professional development and training for employees;

clearly defining the rights and responsibilities of employees, contributing to increasing their responsibility;

serves to increase public confidence in the activities of internal affairs bodies;

Defining the rights and freedoms of employees, increasing their opportunities to participate in the decision-making process in their organizations.

In addition, the positive aspects of the legislation contribute to the creation of the necessary conditions for the effective and professional conduct of the activities of internal affairs officers.

References:

1. Мальцев Г.В. Права личности: юридическая норма и социальная действительность // Конституция СССР и правовое положение личности. — М., 1979. — С. 50.
2. Лукашева Е.А. Правовой статус: понятие и структура / Общая теория прав человека. — М.: Норма, 1996. — С. 30.
4. Матузов Н.И., Малько А.В. Теория государства и права: Учебник, М.: Юристъ. — 2004. — С. 91, 93.
5. Юридик тайёргарлик: Дарслик. — Т.: Ўзбекистон Республикаси ИИВ Академияси, 2009. — Б. 83; Конституциявий ҳуқуқ: Дарслик / Х.Т. Одиқориев, Ў.Х. Мухамедов, Б.А. Саидов ва бошқ.; Масъул муҳаррир Ш.Т. Икрамов. — Т.: Ўзбекистон Республикаси ИИВ Академияси, 2014. — Б. 162.

6. Давлат хизмати: Ўқув қўлланма / Э.Т. Хожиев, Г.С. Исмаилова, М.А. Рахимова. — Тошкент: Baktria press, 2015. — Б. 34, 43.
7. Философский энциклопедический словарь / гл. ред. Л.Ф. Ильичев, П.Н. Федосеев, С.М. Ковалев, В.Г. Панов. — М., 1983. — С. 640; Ўзбек тилининг изоҳли луғати: 80.000дан ортиқ сўз ва сўз бирикмаси. Беш жилдлик. — Т.: «Ўзбекистон миллий энциклопедияси» Давлат илмий нашриёти, 2006. — 3-жилд. — Б. 549;
8. Юлдашев Дж.Х. Ўзбекистон Республикаси фуқаролигини ҳуқуқий тартибга солишни такомиллаштириш: Юрид. фан. докт дисс. — Т.: ИИВ Академия, 2022. — Б. 20.
9. Маюров Николай Петрович, and Константинов Георгий Леонидович. "О правовом статусе сотрудника органов внутренних дел Российской Федерации: теоретико-правовой аспект" Пробелы в российском законодательстве. Юридический журнал, no. 6, 2013, pp. 263-270.
10. Ўзбекистон Республикасининг 16.09.2016 йилдаги ЎРҚ-407-сон <https://lex.uz/docs/3027843#3027948>
11. Ўзбекистон Республикаси Президентининг 20.01.2023 йилдаги ПҚ-10-сон <https://lex.uz/uz/docs/6364837>
12. Ўзбекистон Республикаси Президентининг 29.11.2017 йилдаги ПҚ-3413-сон қарори.
13. Ўзбекистон Республикасининг Меҳнат кодекси <https://lex.uz/docs/6257288>
14. Ўзбекистон Республикасининг Қонуни, 16.09.2016 йилдаги ЎРҚ-407-сон <https://lex.uz/docs/3027843#3027948>.