



CONSTITUTIONAL AND LEGAL REGULATION OF COOPERATION BETWEEN INTERNAL AFFAIRS BODIES AND THE "MAHALLA SEVEN" IN ENSURING THE RIGHTS AND FREEDOMS OF CITIZENS

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Abstract. This article analyzes the constitutional and legal foundations of the cooperation between internal affairs bodies and the "mahalla seven" in ensuring the rights and freedoms of citizens. It also highlights the legal mechanisms of this cooperation in protecting the inviolability of property, safeguarding the constitutional order, upholding the rule of law, and guaranteeing the security of the individual, society, and the state. Based on the research, practical recommendations for improving this cooperation have been developed.

Keywords: internal affairs bodies, mahalla seven, constitution, rights and freedoms, rule of law, public security, inviolability of property.

The relevance of this topic is determined by the formation of a new governance system in the Republic of Uzbekistan, resulting from constitutional reforms aimed at ensuring human rights and freedoms, strengthening the rule of law, and guaranteeing public security. In particular, the importance of cooperation between internal affairs bodies and citizens' self-governing bodies is growing in terms of protecting the inviolability of property, safeguarding the constitutional order, upholding the rule of law, and guaranteeing the security of the individual, society, and the state.

Today, a comprehensive approach is required in areas such as protecting the property rights of individuals and legal entities, preventing offenses, maintaining public order, countering extremism and terrorism, protecting the population from information attacks, and combating corruption. This necessitates the further improvement of systematic and effective cooperation mechanisms between state bodies and local self-governing institutions.

At the same time, issues concerning the clear demarcation of powers between internal affairs bodies and mahalla institutions in the practical application of constitutional norms, mutual information exchange, and the effectiveness of preventive activities require in-depth academic study. These circumstances indicate the need to improve the legal framework in this sphere, analyze existing mechanisms, and develop new scholarly approaches.

From this perspective, researching the constitutional and legal regulation of cooperation between internal affairs bodies and citizens' self-governing bodies is of great importance today, not only theoretically but also practically, as it contributes to the further development of a rule-of-law state and civil society in the country.

Norms defining cooperation in the field of protecting the property of individuals and legal entities. Article 40 of the Constitution of the Republic of Uzbekistan enshrines the right of everyone to own property, while Article 65 states that private property is inviolable, and an owner cannot be deprived of their property except in cases and according to the procedure established by law and without a court decision.

Ensuring the property rights of citizens enshrined in the Constitution is carried out on the basis of interaction between internal affairs bodies and citizens' self-government bodies, and this activity is regulated by legislation. Specifically, Article 2 of the Law "On Internal Affairs Bodies" defines the protection of the property of individuals and legal entities from various encroachments as one of the primary tasks of the internal affairs bodies, while Paragraph 9 of Article 4 states that the protection of state facilities, especially important and categorized facilities, as well as the property of individuals and legal entities, is one of the main areas of their activities.

Also, in accordance with Article 13 of the Law "On Citizens' Self-Government Bodies," the Kengash of the citizens' assembly is authorized to assist internal affairs bodies in exercising control over the use of private property belonging to individuals and legal entities in the relevant territory[3].

Norms defining cooperation in the field of protecting the constitutional order. The new edition of the Constitution of the Republic of Uzbekistan stipulates that state power is exercised solely in the interests of the people and by bodies authorized by the Constitution and laws. It is also noted that the misappropriation of state power powers, the suspension or termination of the activities of government bodies, and the creation of new and parallel government structures in a manner not provided for by the Constitution are unconstitutional and entail liability in accordance with the law (Article 7).

Furthermore, it is enshrined that only the Oliy Majlis and the President elected by the people of Uzbekistan may act on their behalf, that certain segments of society or political and social associations may not act on behalf of the people (Article 10), and that human rights and freedoms may be restricted only in cases established by law and for the purpose of protecting the constitutional order, public safety, and the rights of others (Article 21).

Furthermore, actions aimed at the violent change of the constitutional order, activities threatening state sovereignty and security, the promotion of war, national and religious enmity, as well as the creation and activities of political parties and organizations in this direction, are strictly prohibited (Article 71).

In the implementation of these constitutional norms, internal affairs bodies and citizens' self-government bodies cooperate within the powers established by law. This will serve to ensure the stability of the constitutional order in the country, strengthen public safety, and maintain law and order.

Norms defining cooperation in the field of ensuring the rule of law. The new edition of the Constitution of the Republic of Uzbekistan enshrines the unconditional recognition of the supremacy of the Constitution and laws, the supreme legal force of constitutional norms throughout the country, their direct effect, and the formation of a unified legal space.

Furthermore, in accordance with the Constitution and laws, state bodies, other organizations, officials, civil society institutions, and all citizens are obliged to carry out their activities based on legal norms (Article 15). Furthermore, it states that every citizen is obliged to comply with the Constitution and laws, and to respect the rights and freedoms, honor, and dignity of others (Article 60).

In the practical implementation of these constitutional provisions, internal affairs bodies and citizens' self-government bodies shall cooperate within their powers. This cooperation

contributes to ensuring the rule of law in society, preventing offenses, and strengthening law and order.

In this regard, the rule of law is enshrined as a fundamental principle in the legislation regulating the activities of internal affairs bodies[4] and citizens' self-government bodies[5], which constitutes the legal basis for their interaction.

Norms defining cooperation in the field of ensuring the security of the individual, society, and the state. In accordance with the new edition of the Constitution of the Republic of Uzbekistan:

first, the Republic of Uzbekistan guarantees the protection and protection of its citizens both on its territory and abroad (Article 23);

secondly, necessary measures are taken to ensure the rights of the individual to life, health, and liberty, as well as the inviolability of property and residence (Articles 25-35);

thirdly, the social activity of citizens is guaranteed to be carried out in the form of rallies, meetings, and demonstrations, while such events may be restricted or prohibited only for security reasons in accordance with the law (Article 38).

These constitutional provisions serve to ensure the security of the individual, society, and the state through cooperative activities carried out by internal affairs bodies and citizens' self-government bodies within the powers established by law.

Including:

a) ensuring the rights to life, health, and liberty, as well as the inviolability of property and residence, is carried out in cooperation with the functions of internal affairs bodies such as prevention, inquiry, operational-search, and preliminary investigation, as well as the chairman of the citizens' assembly, members of the council, the mahalla seven, and public patrol groups [6];

b) ensuring the safety of citizens of Uzbekistan and their family members abroad is carried out in cooperation with internal affairs bodies, citizens' self-government bodies, and diplomatic and consular missions within the system of the Ministry of Foreign Affairs [7].

c) preventive measures are carried out to ensure the safety of road users and prevent road traffic accidents [8];

d) measures are taken to maintain public order in public places, streets, alleys, and crowded areas [9];

d) a system for ensuring public safety in the organization and conduct of mass events will be established[10];

e) measures will be implemented to protect the population, especially youth and children, from the influence of terrorism, extremism, destructive ideas, and "mass culture" [11];

e) comprehensive work is being carried out to combat corruption, prevent it, and foster an intolerant attitude in society[12].

Conclusions and recommendations. Analysis shows that the constitutional reforms being implemented in Uzbekistan further increase the importance of cooperation between internal affairs bodies and the mahalla seven in ensuring human rights and freedoms, strengthening the rule of law, and guaranteeing public safety. The main legal basis of this cooperation is the norms concerning the inviolability of property, the stability of the constitutional order, the rule of law, and the security of the individual, society, and the state.

At the same time, in practice, there remains a need to clarify powers, improve mutual information exchange, and effectively organize preventive work.

In this regard, the following recommendations are provided: systematize the regulatory framework for cooperation, clearly define the boundaries of powers, expand the use of digital systems in prevention, and strengthen targeted work with the population.

Overall, the development of this cooperation is of great importance in strengthening the rule of law and civil society.

References:

1. Қонунчилик маълумотлари миллий базаси, 01.05.2023 й., 03/23/837/0241-сон; <https://lex.uz/docs/6449033>;
2. Ўзбекистон Республикаси қонун ҳужжатлари тўплами, 2016 й., 38-сон, 438-модда; <https://lex.uz/docs/3027843>;
3. Ўзбекистон Республикаси қонун ҳужжатлари тўплами, 2013 й., 17-сон, 219-модда; <https://lex.uz/docs/2220815>;
4. Ўзбекистон Республикасининг 2016 йил 16 сентябрдаги “Ички ишлар органлари тўғрисида”ги 407-сон қонуни. Ўзбекистон Республикаси ҳужжатлари тўплами, 2016 й., 38-сон, 438-модда; <https://lex.uz/docs/3027843>;
5. Ўзбекистон Республикасининг 2013 йил 22 апрелдаги “Фуқароларнинг ўзини ўзи бошқариш органлари тўғрисида”ги ЎРҚ-350-сон қонуни. Ўзбекистон Республикаси қонун ҳужжатлари тўплами, 2013 й., 17-сон, 219-модда. <https://lex.uz/uz/docs/2156899>;
6. Ўзбекистон Республикасининг 2016 йил 16 сентябрдаги “Ички ишлар органлари тўғрисида”ги 407-сон Қонуни // Ўзбекистон Республикаси ҳужжатлари тўплами, 2016 й., 38-сон, 438-модда; <https://lex.uz/docs/3027843>; Ўзбекистон Республикасининг 2013 йил 22 апрелдаги “Фуқароларнинг ўзини ўзи бошқариш органлари тўғрисида”ги ЎРҚ-350-сон Қонуни // Ўзбекистон Республикаси қонун ҳужжатлари тўплами, 2013 й., 17-сон, 219-модда. <https://lex.uz/uz/docs/2156899>;
7. Ўзбекистон Республикасининг 2019 йил 17 январдаги “Ўзбекистон Республикасининг консуллик уставини тасдиқлаш тўғрисида”ги ЎРҚ-517-сон Қонуни // Қонун ҳужжатлари маълумотлари миллий базаси, 18.01.2019 й., 03/19/517/2497-сон; <https://lex.uz/uz/docs/4167683>;
8. Ўзбекистон Республикасининг 2024 йил 19 январдаги “Йўл ҳаракати тўғрисида”ги ЎРҚ-900-сон Қонуни // Қонунчилик маълумотлари миллий базаси, 20.01.2024 й., 03/24/900/0053-сон; <https://lex.uz/docs/6764454>;
9. Ўзбекистон Республикаси Президентининг 2021 йил 29 ноябрдаги “Ўзбекистон Республикаси жамоат хавфсизлиги концепциясини тасдиқлаш ва уни амалга ошириш чора-тадбирлари тўғрисида”ги ПФ-27-сон Фармони // Қонунчилик маълумотлари миллий базаси, 01.12.2021 й., 06/21/27/1116-сон; <https://lex.uz/uz/docs/5749291>;
- Ўзбекистон Республикаси Президентининг 2025 йил 30 апрелдаги “Ички ишлар органлари тизимини рақамли трансформация қилиш бўйича комплекс чора-тадбирлар тўғрисида”ги ПҚ – 155-сон Қарори // Қонунчилик маълумотлари миллий базаси, 06.05.2025 й., 07/25/155/0412-сон; <https://www.lex.uz/uz/docs/7511360>.
10. Ўзбекистон Республикаси Вазирлар Маҳкамасининг 2014 йил 29 июлдаги “Оммавий тадбирларни ташкил этиш ва ўтказиш тартибини янада такомиллаштириш чора-

тадбирлари тўғрисида”ги 205-сон Қарори // Ўзбекистон Республикаси қонун ҳужжатлари тўплами, 2014 й., 32-сон, 398-модда; <https://lex.uz/docs/2438871>;

11.Ўзбекистон Республикасининг 2017 йил 08 сентябрдаги “Болаларни уларнинг соғлиғига зарар етказувчи ахборотдан ҳимоя қилиш тўғрисида”ги ЎРҚ-444-сон Қонуни //Ўзбекистон Республикаси қонун ҳужжатлари тўплами, 2017 й., 37-сон, 976-модда; Ўзбекистон Республикасининг 2000 йил 15 декабрдаги “Терроризмга қарши кураш тўғрисида”ги №167-II-сон Қонуни //Ўзбекистон Республикаси Олий Мажлисининг Ахборотномаси, 2001 й., 1-2-сон, 15-модда; <https://lex.uz/docs/29526>; Ўзбекистон Республикасининг 2018 йил 30 июлдаги “Экстремизмга қарши курашиш тўғрисида”ги ЎРҚ-489-сон Қонуни //Қонун ҳужжатлари маълумотлари миллий базаси, 31.07.2018 й., 03/18/489/1593-сон; <https://lex.uz/uz/docs/3841957>;

12.Ўзбекистон Республикасининг 2017 йил 03 январдаги “Коррупцияга қарши курашиш тўғрисида”ги ЎРҚ-419-сон Қонуни // Ўзбекистон Республикаси қонун ҳужжатлари тўплами, 2017 й., 1-сон, 2-модда; <https://lex.uz/docs/3088008>