



COOPERATION OF THE PROBATION DEPARTMENT OF THE PUBLIC SECURITY DEPARTMENT OF THE MINISTRY OF INTERNAL AFFAIRS OF THE REPUBLIC OF UZBEKISTAN WITH CIVIL SOCIETY INSTITUTIONS

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Abstract

The article discusses the cooperation of the Probation Department of the Public Security Department of the Ministry of Internal Affairs of the Republic of Uzbekistan with civil society institutions, and provides suggestions and recommendations for more effective organization of this activity.

Key words: Ministry of Internal Affairs, Department of Public Security, Probation Department, civil society institutions, cooperation.

One of the main foundations of the reforms being implemented in our country today is to increase the effectiveness of the crime prevention system, identify and eliminate the causes and conditions that contribute to their occurrence, raise the legal culture and awareness of citizens, and foster in them the spirit of adherence to established rules of conduct in society. The implementation of these tasks is one of the main and urgent responsibilities assigned to law enforcement agencies, with the Ministry of Internal Affairs making a significant contribution to the law enforcement system, particularly through the Probation Department of the Public Security Department.

It is no exaggeration to say that the cooperation between the Probation Department of the Public Security Department and civil society institutions is of particular importance in these processes. Specifically, establishing this cooperation is one of the important and necessary requirements of today.

The President of the Republic of Uzbekistan, Shavkat Mirziyoyev, has also emphasized the importance of further strengthening ties with the public in ensuring the rule of law, preventing offenses, combating crime, maintaining public order, protecting citizens' rights, and raising the level of interaction between law enforcement agencies and civil society institutions to a new level.[1]

To ensure the fulfillment of these tasks, in accordance with the Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated February 14, 2020, No. 84 "On Additional Measures for the Effective Organization of the Activities of the Probation Service of Internal Affairs Bodies," effective measures were established for close cooperation between public structures and the Ministry of Employment and Labor Relations, the Ministry of Health, the Ministry of Public Education, the Women's Committee of Uzbekistan, the Youth Union of Uzbekistan, the Republican Council for Coordinating the Activities of Citizens' Self-Government Bodies, and the regional departments of the Committee on Religious Affairs of the Republic of Uzbekistan. Starting from March 1, 2020, these measures include maintaining effective control over the behavior of individuals under probation supervision, and implementing relevant preventive measures, especially for registered minors, regarding their social adaptation, employment, and vocational training.

Appendix 2 of this resolution approved the mechanism of joint activities of ministries and agencies to provide socio-legal and psychological assistance to persons under the supervision of probation units.[2]

It can be said that at the current stage of our country's development, alongside state bodies, the role and place of the non-state sector, that is, civil society institutions, are increasing, and their participation in solving pressing issues in society is also expanding. This is an important trend in social life. Uzbekistan's recent years have been a period of rapid development of various civil society institutions and non-governmental non-profit organizations, supported by broad segments of the population. And this process is steadily expanding.[3] In particular, the active participation of civil society institutions (self-governing bodies, political parties, mass social movements, trade unions, public associations and foundations, non-governmental non-profit organizations) in the processes of democratization and renewal of society is an important factor in solving issues related to the life of every person living in the country, determining the future of the state. As experts correctly note, effective interaction between law enforcement agencies and civil society institutions also serves to realize the interests of citizens, society, and the state, ensuring balance and harmony of interests.

When considering the concept and essence of cooperation between the Probation Department of the Department of Public Security of the Ministry of Internal Affairs and civil society institutions, it is important, first of all, to focus on these subjects, which are of great importance in the social and political life of society, that is, to clarify the views on the concepts of "Department of Probation of the Department of Public Security" and "civil society institutions" and to correctly understand their essence. In other words, when organizing cooperation between these entities in the field of crime prevention, it is necessary to determine the essence, status, directions of activity of these structures, their place and influence in the socio-political system of society.

It should be noted that today in our country, a unique legal system has been created for the implementation of crime prevention by state bodies. Specifically, Article 9 of the Law of the Republic of Uzbekistan "On Crime Prevention" defines "The system of bodies and institutions directly engaged in crime prevention," and one of the main state bodies directly engaged in crime prevention is the internal affairs bodies.

According to the Law of the Republic of Uzbekistan "On Internal Affairs Bodies," the Minister of Internal Affairs of the Republic of Uzbekistan, by his status, is part of the Cabinet of Ministers of the Republic of Uzbekistan. The Ministry of Internal Affairs of the Republic of Uzbekistan is directly subordinate to the President of the Republic of Uzbekistan, and on certain issues to the Cabinet of Ministers of the Republic of Uzbekistan.

Internal affairs bodies carry out activities within their powers in the protection of the rights, freedoms and legitimate interests of citizens, protection of public order and ensuring public safety, combating crime and terrorism, human trafficking, prevention of offenses, identification and elimination of their causes and conditions contributing to their commission, identification of persons prone to committing offenses, participation in work to raise legal awareness and legal culture in society and other key areas.

Also, in order to fulfill the tasks assigned to it, it interacts with state bodies, self-government bodies of citizens and other organizations in the manner prescribed by law. State bodies, self-government bodies and other organizations are obliged to assist the internal

affairs bodies within their powers in protecting the rights, freedoms and legitimate interests of citizens, maintaining public order and ensuring public safety, preventing, detecting, disclosing and suppressing crimes and administrative offenses, investigating criminal cases, searching for criminals, establishing the whereabouts of missing persons, as well as preventing offenses.

The Probation Service, which provides for the execution of criminal punishments not related to imprisonment in our country, was introduced from January 1, 2019, by the Decree of the President of the Republic of Uzbekistan No. PP-4006 "On Measures to Fundamentally Improve Criminal Legislation" dated November 7, 2018.

In accordance with the Decree of the President of the Republic of Uzbekistan dated March 26, 2021, No. UP-6196 "On Measures to Raise the Activities of Internal Affairs Bodies in the Field of Ensuring Public Safety and Combating Crime to a Qualitatively New Level," the Main Directorate of Patrol and Postal Service and Public Order Protection, the Main Directorate of Crime Prevention, the Main Directorate of Traffic Safety, and the Department of Public Safety were established, which includes the Probation Service. In particular, we can mention civil society institutions as subjects that will soon help to effectively organize the activities of the Probation Service.

It should be noted that from the first days of our country's independence to the present day, one of the subjects that play an important role in the social life of our society is "civil society institutions." In current regulatory documents in our country, the phrase "civil society institutions" or "other civil society institutions" is widely used. In particular, a separate chapter titled "Civil Society Institutions" was introduced into the new edition of the Constitution of the Republic of Uzbekistan, adopted by universal voting at the referendum of the Republic of Uzbekistan held on April 30, 2023, in which "Civil society institutions, including public associations and other non-governmental non-profit organizations, citizens' self-government bodies, mass media, constitute the foundation of civil society." The activities of civil society institutions are carried out in accordance with the law.

It can be said that today, the total number of non-governmental non-profit organizations registered with the bodies of justice and their separate units is 9,039 (in Uzbekistan there are 2,329 religious organizations belonging to 16 religious denominations, of which 2,134 are Islamic, 174 are Christian religious organizations, 8 are Jewish, 6 are Baha'i communities, 1 is a Krishna awareness society, a Buddhist temple and a Bible society). The total number of registered political parties and their local branches is 1,108. There are also civil society institutions such as more than 9,500 neighborhoods, more than 2,140 media outlets[13]. Ensuring their effective interaction with state bodies is one of the important issues in the social life of society.

In particular, a number of domestic scientists have expressed their views on the concept of "civil society institutions." For example, Kh.T. Odilkoriev argues that they complement state activity in managing public affairs, as civil society institutions, due to their scale, popularity, and flexibility, can identify problems arising in public life and act effectively in areas where government agencies have limited capabilities, especially at the local level[14] and it is necessary to acknowledge the definitions given by Sh.U. Yakubov that "civil society institutions are legal entities, their associations, and non-governmental mass media registered by the state for the protection of the rights and legitimate interests

At the same time, in other literature, we can find definitions of the concept of "civil society institutions" and their interaction with state bodies. For example, in an analytical report published by the Independent Institute for Monitoring the Formation of Civil Society in 2015, the concept of "civil society institutions" was defined as follows: "Citizens' self-government bodies (mahallas), political parties, social movements, trade unions, public associations and foundations, non-governmental non-profit organizations constitute the foundation of civil society and define its essence." Civil society institutions serve to increase civic activity, legal awareness, national self-awareness, political culture, and the spirituality of members of society, fostering their self-esteem, independent thinking, a sense of self-realization, and a sense of building their future with their own hands.

It should be noted that the issue of interaction between state bodies and civil society institutions is not a problem that has arisen today. It would not be an exaggeration to say that its history goes back to the distant past. For example, the great thinker Abu Nasr al-Farabi emphasized that mutual cooperation plays a significant role in the achievement of human happiness and expressed it through the following thoughts: "A city that unites people who help each other in order to achieve true happiness is a city of virtue, a community of people united to achieve happiness is a community of virtue."

It can be said that social cooperation is the result of a long-term evolution of societal development. Early views on the formation of this idea are found in the works of scholars such as Plato and Aristotle.[18] Different opinions and perspectives on the development of relations between the state and civil society are also found in the works of I. Kant and A. Smith. They were among the first to lay the foundation for further development of the concept of social cooperation in social labor relations.[19]

Furthermore, the relationship between the state and civil society, the essence and boundaries of cooperation between them are reflected in the theoretical concepts of G. Grotius, T. Hobbes, J. Locke, J. Rousseau, V. von Humboldt, G. Hegel, I. Kant, K. Marx, and other scholars, such as "public contract," "people's sovereignty," "local self-government," "moral and normative behavior of citizens," and others. At the same time, foreign economists such as J. Keynes, F. Hayek, J. Galbraith, J.S. Mill, political scientists J. Cohen, E. Arato, F. Schmitter, and legal scholars L. Augie and M. Oriou made a significant contribution to the scientific substantiation and further development of the idea of cooperation between state bodies and civil society.

Our national scientists have also expressed a number of opinions on the interaction of state bodies with civil society institutions. For example, Kh.T. Mamatov notes that cooperation between civil society institutions and state bodies serves the well-being of the entire state through the implementation of specific tasks and the commonality of common directions in society. Overall, civil society institutions ensure the development of democracy from below, removing barriers between the state and individual citizens.[21]

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