

## Scientific-Theoretical Classification of the Principles of Cooperation of Internal Affairs Bodies with Citizens' Self-Government Bodies

**Suvankulov Mehmonali Ismoilovich**

Head of the Department of Legal Sciences of the Higher Education Institute of the Ministry of Internal Affairs of the Republic of Uzbekistan

**Abstract:** The principles of law serve as guidelines for determining the trends of socio-economic development that are in effect not only in a certain area, but also in the country as a whole, and in the development of measures to be implemented in the direction of the country's development. If we talk about universal principles, today in all democratic states, human life and health, honor and dignity are recognized as the highest values. At the same time, today new ideas, principles and thoughts on the formation of a legal democratic state and civil society are being formed and proposed, and each country is developing its own development path in the direction it wants and chooses.



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In the process of achieving the set goals, the most important methodological role is the starting point of the process of interaction between internal affairs bodies and citizens' self-governance bodies, the scientific position, the fundamental basis for researching this process, the identification of its types and forms, the development of improvement measures, and other important element of which principles play.

Social partnership acquires a legitimate and vital character only when it is based on fundamental principles. Because the principles of law, on the one hand, express the regularities of legal reality, and on the other hand, they consist of the most general rules that affect all aspects of legal regulation and apply to the participants of legal relations <sup>1</sup>.

The adoption of the Law of the Republic of Uzbekistan "On Social Partnership" is necessary for the implementation of socio-economic development programs at the national and local levels, solving various important problems, and protecting the rights and freedoms and legal interests of various segments of the population. determines the clear boundaries of civil society institutions' cooperation with state agencies, and is of great importance in creating their organizational and legal mechanisms.

<sup>1</sup>Odilkoriev H.T., Yakubov Sh.U. National legal system and legal values. - T., 2011. - B.309.

After all, any body, organization, institution, association or union performs its activities based on certain principles and leadership ideas.

In particular, the cooperation of internal affairs bodies with self-government bodies of citizens is based on certain principles and operates on the basis of these principles, and this cooperation should be determined by the following factors:

*first*, what should be the cooperation between internal affairs bodies and self-government bodies of citizens;

*secondly*, what should be the model of behavior in the interaction of these bodies;

*thirdly*, what ideas should be based on mutual cooperation relations.

The general principles of self-government of citizens are a set of leadership ideas that organize the implementation of the activities of self-government bodies of citizens, enshrined in the Constitution and laws of the Republic of Uzbekistan.

The principle of self-government of citizens appears as a guiding idea, rule of origin, leading criterion of the process of formation, development and performance of self-government bodies of citizens.

during the research is that the principles of each body are mentioned in Article 5 of the laws on self-governing bodies of citizens <sup>2</sup>and internal affairs bodies . <sup>3</sup>It is one of the major issues facing our scientists.

The results of the analysis show that Uzbek legal scholars Sh.U. Yakubov general principles of cooperation of state bodies and institutions of civil society <sup>4</sup>, G.S. Ismailova general principles of cooperation of local state authorities and self-government bodies <sup>5</sup>, Z.R. Roziev general principles of self-government bodies of citizens the principle of social partnership <sup>6</sup>, D.D.Shirinov the principles of cooperation of state bodies and non-governmental non-profit organizations <sup>7</sup>, B.I.Latipov although he studied the principles of cooperation between law enforcement agencies and civil society institutions <sup>8</sup>in his scientific research work, the principles of cooperation between internal affairs bodies and self-government bodies of citizens were not directly studied as an object of research.

the principles of cooperation between law enforcement agencies and civil society institutions , including obedience to the law, equality, openness and transparency, universality, independence, impartiality, mutual respect, in Article 4 of the Law "On Social Partnership" , scientific analysis of principles such as consideration of interests and responsibility, voluntary acceptance of obligations, <sup>9</sup>and representatives of social partnership it is necessary to highlight the opinions given regarding the addition of such principles as competence, the reality of the parties'

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<sup>2</sup>of the Republic of Uzbekistan dated April 22, 2013 "On Self-Governing Bodies of Citizens" No. ORQ-350 // Collection of legal documents of the Republic of Uzbekistan, 2013, No. 17, Article 219;

<sup>3</sup>of the Republic of Uzbekistan "On Internal Affairs Bodies" of September 16, 2016 ORQ-407 // Collection of legal documents of the Republic of Uzbekistan, 2016, No. 38, Article 438;

<sup>4</sup>Sh. U. Yakubov. Improvement of legal mechanisms of cooperation between state and civil society institutions. *jurid.fan.doct.*, - T., 2018. - 270 p.

<sup>5</sup>G.S. Ismailova. State-legal directions of liberalization of activities of local state power and self-government bodies in Uzbekistan. *doctor of law.diss.* - T., 2016. - 256 p

<sup>6</sup>Powers of citizens' self-government bodies (constitutional-legal analysis): *jurid.fan.dokt.diss.* - T., 2016. - 289 p.

<sup>7</sup>D. D. Shirinov. Legal basis of organizing activities of non-governmental non-profit organizations as a civil society institution in Uzbekistan: *jurid.fan.nomz.diss.* - T., 2020. - 227 p.

<sup>8</sup>B.I. Latipov. Improving mutual cooperation of law enforcement bodies and civil society institutions: *jurid.fan.nomz.diss.* - T., 2019. - 179 p.

<sup>9</sup>B.I. Latipov. Improving mutual cooperation of law enforcement bodies and civil society institutions: *jurid.fan.nomz.diss.* - T., 2019. p. 30-41.

obligations, freedom of choice, the obligation to fulfill collective agreements, the harmony of mutual control and public control to the above-mentioned law.

Russian legal scholars also carried out scientific research on the principles of cooperation of internal affairs bodies with local self-government bodies and civil society institutions, including researchers V.N. Amelchakova and G.N. Kirillova on the principles of cooperation of state authorities with internal affairs bodies.<sup>10</sup>, E.G.Makarova and V.G.Kryuchkov principles of cooperation of internal affairs bodies with local executive and local self-government bodies<sup>11</sup>, regional internal affairs bodies the main principles of cooperation of state power with executive bodies and local self-government bodies, E.V. Krichyok,<sup>12</sup> principles of cooperation of<sup>13</sup> police and civil society institutions, V.F. Saetgaraev, system of principles of organizing cooperation of internal affairs bodies and civil society institutions in the field of fighting corruption<sup>14</sup>, S.L.Panov, S.A.Timko and V.P.Timko in combating crime with public structures of internal affairs bodies the principles of cooperation<sup>15</sup> were studied as a research object and some aspects of the principles of cooperation were researched.

As it can be seen from the results of the analysis, although Uzbek legal scholars have carried out research on the principles of cooperation between state bodies and institutions of civil society, internal affairs bodies and civil society institutions, or law enforcement bodies and civil society institutions, but directly with internal affairs bodies and citizens the principles of cooperation of governing bodies have not been studied directly as an object of research. Russian legal scholars have also researched the principles of cooperation between internal affairs bodies and civil society institutions or local self-government bodies, but unlike them, the principles of cooperation between internal affairs bodies and citizens' self-government bodies have not been studied at the level of fundamental research. However, local self-government bodies in the Russian Federation and citizens' self-government bodies in the Republic of Uzbekistan differ sharply in their legal nature and characteristics.

Based on the above scientific analysis, in our opinion, it is appropriate to study the principles of cooperation of the internal affairs bodies with the self-government bodies of citizens, conditionally divided into three groups based on the goals, tasks and functions of the cooperation of the internal affairs bodies with civil society institutions:

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<sup>10</sup> V.N. Amelchakova, G.N. Kirillova. Form and principles of interaction between the bodies of the Russian Federation and bodies of the Russian Federation // Vestnik Moskovskogo Universiteta MVD Rossii. #4. 2016 g. Str. 227-230.

<sup>11</sup> E. G. Makarova and V. G. Kryuchkov. Principy vzaimodeystviya politicii s organami ispolnitelnoy vlasti sub'ektov Rossiyskoy federatsii i mestnogo self-management of Rossiyskoy Federatsii // Politiko-pravovye problemy vzaimodeystviya municipalnykh obrazovaniy s razlichnymi urovnyami vlasti. Materials VII Mejdunarodnoy nauchnoprakticheskoy conference of aspirants, teachers, practical workers, posvyashchennoy 150-letiyu zemskoy reformy. Vypusk 7. Saratov : Izdatelstvo "Saratovskiy istochnik", 2014. 203 p.

<sup>12</sup> N.E. Ilina. Osnovnye principy vzaimodeystviya territorialnykh podrazdeleniy politicii with executive organs of the state government of subjects of the Russian Federation and organs of local self-government // Journal " Regionology Regionology ", No. 4 2016 . str. 7-14.

<sup>13</sup> E.V. Krichyok . Vzaimodeystvie politicii i institutov grajdanskogo obshchestva v Rossiyskoy Federatsii: ponyatie, tseli, principy, tipy i formy // CYBERLENINKA , No. 9 (Tom XCIV) September 2014

<sup>14</sup> VF Saetgaraev. Sistema principov organizatsii vzaimodeystviya organov vnutrennix del i institutov grajdanskogo obo'ectva v sphere protivodeystviya korrupsicii // Vestnik Kazanskogo yuridicheskogo universiteta MVD Rossii, №1 (35) 2019 g. str. 20-24.

<sup>15</sup> Pr intsipy vzaimodeystviya organov vnutrennix del i obshchestvennykh formirovaniy po protivodeystviyu pravonarusheniyam // Psichopedagogika v pravookhranitelnykh organax, 2016, No. 4 (67).

## **I. General principles related to the cooperation of state bodies and civil society institutions:**

**1. Constitutional principles.** The newly revised constitution of the Republic of Uzbekistan contains the main principles, in particular, <sup>16</sup>*the priority of human rights and freedoms, legality, democracy, equality, the rule of law, social justice, and transparency* .

**2. Principles of openness of state bodies.** These principles serve to ensure the transparency of the activities of state bodies in all spheres of society's social life, in particular, principles such as *openness and reliability of information, openness and transparency, freedom to seek, receive and distribute information, the priority of the rights and freedoms of citizens*, in cooperation with civil society institutions of internal affairs bodies. serves as a guiding principle <sup>17</sup>for its activities .

**3. Principles in the field of social partnership. Principles such as obedience to the law, equal rights, openness and transparency, universality, independence, impartiality, mutual respect, consideration of interests and responsibility, voluntary acceptance of obligations serve to ensure mutual cooperation <sup>18</sup>of internal affairs bodies with institutions of civil society .**

## **II. Principles related to the activities of internal affairs bodies and self-government bodies of citizens.**

**1. Principles of internal affairs bodies.** The main principles of the activity of the internal affairs bodies are <sup>19</sup>*legality, uniformity, compliance with the rights, freedoms and legal interests of citizens, as well as respect for these rights, freedoms and legal interests, openness and transparency* .

**2. Principles of activities of self-governing bodies of citizens.** The main principles of the activity of citizens' self-governing bodies are *legality, the priority of human rights, freedoms and legal interests, democracy, transparency, social justice, independence in solving local issues, community-based mutual assistance, social partnership, taking into account local customs and traditions*. consists of " <sup>20</sup>.

## **III. Sectoral principles related to the areas of cooperation of internal affairs bodies with citizens' self-government bodies.**

### **1) Principles of cooperation in the field of crime prevention:**

a) *Principles in the field of crime prevention* legality, humaneness, systematicity, the priority of persuasive methods, differentiating influence measures and individual approach <sup>21</sup>.

b) *Principles in the field of prevention of delinquency and delinquency among minors:* legality, humaneness, systematicity, family support and cooperation with it, individual approach to upbringing of minors in a socially dangerous situation <sup>22</sup>.

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<sup>16</sup>Constitution of the Republic of Uzbekistan // National database of legal information, 01.05.2023, No. 03/23/837/0241) .

<sup>17</sup>Law of the Republic of Uzbekistan dated May 5, 2014 "On the openness of the activities of state authorities and management bodies" No. ORQ-369 // Collection of legal documents of the Republic of Uzbekistan, 2014, No. 19, Article 209;

<sup>18</sup>of the Republic of Uzbekistan on September 25, 2014 "On Social Partnership" No. ORQ-376 // Collection of legal documents of the Republic of Uzbekistan, 2014, No. 39, Article 488;

<sup>19</sup>of the Republic of Uzbekistan "On Internal Affairs Bodies" of September 16, 2016 ORQ-407 // Collection of legal documents of the Republic of Uzbekistan, 2016, No. 38, Article 438;

<sup>20</sup>of the Republic of Uzbekistan dated April 22, 2013 "On Self-Governing Bodies of Citizens" No. ORQ-350 // Collection of legal documents of the Republic of Uzbekistan, 2013, No. 17, Article 219;

<sup>21</sup>of the Republic of Uzbekistan On May 14, 2014 " On Crime Prevention". Law No. ORQ-371 // Collection of legal documents of the Republic of Uzbekistan, 2014, No. 20, Article 221;

<sup>22</sup>of the Republic of Uzbekistan Law No. ORQ-263 of September 29, 2010 "On prevention of lack of control and offenses among minors" // Collection of legal documents of the Republic of Uzbekistan, 2010, No. 39, Article 341;

v) *Principles in the field of combating human trafficking* : legality, inevitability of responsibility of persons involved in human trafficking, non-discrimination of victims of human trafficking, social partnership <sup>23</sup>.

g) *Principles in the field of combating extremism*: legitimacy, priority of human rights, freedoms and legitimate interests, transparency and inevitability of responsibility <sup>24</sup>.

d) *Principles in the field of combating corruption*: legitimacy, the priority of citizens' rights, freedoms and legal interests, openness and transparency, systematicity, cooperation between the state and civil society, the priority of measures to prevent corruption, the inevitability of responsibility <sup>25</sup>.

e) *Principles in the field of administrative control*. legality, democracy, justice, humanitarianism, observance and respect for the rights, freedoms and legal interests of citizens, differentiation and individualization of restrictions, encouragement of law-abiding behavior <sup>26</sup>.

or ) *Principles in the field of protection of women from harassment and violence* : legality, democracy, equal rights of women and men, non-discrimination on the basis of gender, openness and transparency <sup>27</sup>.

## **2) Principles of cooperation in the field of maintaining public order and security :**

a) *Principles in the concept of public safety of the Republic of Uzbekistan*: legality, protection of the rights, freedoms and legitimate interests of citizens and their respect, openness and transparency, priority of measures to prevent and eliminate threats to public safety, consistency of actions of all competent bodies in ensuring public safety and solidarity <sup>28</sup>.

## **3) Principles of cooperation in ensuring the inevitability of responsibility for offenses, including committed crimes :**

a) *Principles in the field of criminal law*: legality, equality of citizens before the law, democracy, humanity, justice, responsibility for guilt, inevitability of responsibility <sup>29</sup>.

b) *Principles in the field of criminal procedure legislation* : legality, respect for the honor and dignity of a person, protection of the rights and freedoms of citizens, public participation in criminal proceedings <sup>30</sup>.

v) *Principles in the field of administrative responsibility legislation* : legality, equality of citizens before the law, democracy, humanity, justice and inevitability of responsibility for guilt <sup>31</sup>.

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<sup>23</sup>The Law of the Republic of Uzbekistan on August 17, 2020 "On Combating Human Trafficking" Law No. O'RQ-633 // National database of legal documents, 18.08.2020, No. 03/20/633/1187;

<sup>24</sup>of the Republic of Uzbekistan "On Combating Extremism" No. O'RQ-489 of July 30, 2018 // National database of legal documents, 31.07.2018, No. 03/18/489/1593;

<sup>25</sup>of the Republic of Uzbekistan No. ORQ-419 "On Combating Corruption" of January 3, 2017 // Collection of legal documents of the Republic of Uzbekistan, 2017, No. 1, Article 2;

<sup>26</sup>Law of the Republic of Uzbekistan dated April 2, 2019 "On administrative control over certain categories of persons released from penal institutions" No. ORQ-532 // National database of legal documents, 04/03/2019, 03/19/532/2873-number

<sup>27</sup>of the Republic of Uzbekistan dated September 2, 2019 "On guarantees of equal rights and opportunities for women and men" O'RQ -O'RQ-562 // National database of legal documents, 09/03/2019, 03/19/562/3681 - hip.

<sup>28</sup>Decree No. PF-27 of the President of the Republic of Uzbekistan dated November 29, 2021 "On approval of the concept of public security of the Republic of Uzbekistan and measures to implement it" [HYPERLINK "javascript:scrollText\(\)" // National database of legislative information, 01.12.2021, 06/21 No. 27/1116.](#)

<sup>29</sup> Uzbekistan Republic of Criminal Code // Uzbekistan Republic High Council Bulletin , 1995, No. 1 .

<sup>30</sup> Uzbekistan Republic of Criminal procedural code // Uzbekistan Republic High Council Bulletin , 1995, No. 2 .

<sup>31</sup>Code of Administrative Responsibility of the Republic of Uzbekistan // Bulletin of the Supreme Council of the Republic of Uzbekistan, 1995, No. 3;

g) *Principles in the field of rapid search activity*: legality, priority of human rights, freedoms and legal interests, conspiracy, combination of overt and undercover methods<sup>32</sup>.

d) *Principles in the field of combating terrorism*: legitimacy, priority of individual rights, freedoms and legal interests, priority of measures to prevent terrorism, inevitability of punishment<sup>33</sup>.

**4) Principles of cooperation in the field of enforcement of sentences imposed by the court :**

*Principles in the field of execution of criminal punishment*: legality, justice, humanity, democracy, observance of differentiation and individualization in the execution of punishment, rational use of coercive means and encouragement of law-abiding behavior of prisoners<sup>34</sup>.

*Principles in the field of probation*: legality, justice, humanity, observance of the rights , freedoms and legal interests of citizens and respect for these rights, freedoms and legal interests, differentiation and individualization, cooperation of the state and civil society, the principle of transparency and openness, law-abiding persons under probation control and encouraging active social-beneficial behavior , minimal intrusion into private life and harmonious and joint application of probation supervision.

In the process of achieving the set goals, the most important methodological role is the starting point of the process of interaction between internal affairs bodies and citizens' self-governance bodies, the scientific position, the fundamental basis for researching this process, the identification of its types and forms, the development of improvement measures, and other important element of which principles play.

At the same time, the generally recognized definition of any process or phenomenon as the main, guiding, initial principles becomes clear.

Therefore, if the rules declared as principles do not determine the organizational structure or the characteristics of mutual relations, then they are not considered principles.

In general, the question of the essential features of the principles is important for the process of their implementation.

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<sup>32</sup>Law of the Republic of Uzbekistan No. ORQ-344 of December 25, 2012 "On Quick Search Activity" // Collection of legal documents of the Republic of Uzbekistan, 2012, No. 52, Article 585;

<sup>33</sup>167-II of the Republic of Uzbekistan "On Combating Terrorism" of December 15, 2000 // Bulletin of the Oliy Majlis of the Republic of Uzbekistan, 2001, No. 1-2, Article 15.

<sup>34</sup> Uzbekistan Republic of Crime is a process codex // Uzbekistan Republic High of the meeting Bulletin , 1997, No. 6, Article 175;