

Features of the Administrative and Legal Status of the Head of a Territorial Internal Affairs Body in the Republic of Uzbekistan

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Abstract: The article examines the features of the administrative and legal status of the head of a territorial body of internal affairs in the Republic of Uzbekistan. The research is based on the analysis of current legislation, including the Constitution of the Republic of Uzbekistan, the Law "On Internal Affairs Bodies" and other normative legal acts. The author analyzes the legal foundations of the status, functional powers, system of subordination and control mechanisms, disciplinary responsibility, personnel powers and interaction with civil society. Special attention is paid to changes that occurred during the reform of the law enforcement system. Key features of the administrative and legal position are identified, including the combination of broad powers with a high degree of responsibility, a multi-level control system and focus on interaction with civil society institutions. The research results can be used to improve the legal regulation of the activities of internal affairs bodies.

Keywords: administrative and legal position, head of territorial body, internal affairs bodies, Republic of Uzbekistan, legal status, powers, responsibility, reform, law enforcement system, public administration.



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The system of internal affairs bodies of the Republic of Uzbekistan represents the most important element of the state apparatus, ensuring the protection of public order, the protection of the rights and freedoms of citizens, and countering crime. In the current context of reforming the law enforcement system, research into the administrative and legal status of heads of territorial internal affairs bodies, who play a key role in implementing state policy in the field of ensuring public safety at the local level, is of particular importance. The constitutional basis of their activities is the fundamental principles of state structure enshrined in the country's Basic Law, which define the general framework for the functioning of all state bodies, including law enforcement agencies.

The administrative and legal status of the head of a territorial internal affairs body is characterized by a complex set of powers, rights, and responsibilities that determine their place in the system of state administration. The Law of the Republic of Uzbekistan "On Internal Affairs Bodies" states

that the main tasks of internal affairs bodies are the protection of the rights, freedoms, and legitimate interests of citizens, the property of individuals and legal entities, the constitutional order, ensuring the rule of law, the security of the individual, society, and the state, as well as the prevention and suppression of offenses. The implementation of these tasks at the territorial level is entrusted precisely to the heads of territorial internal affairs bodies.

The administrative and legal status of the head of a territorial internal affairs body in the Republic of Uzbekistan is determined by a system of normative legal acts of various levels. Special legal regulation is carried out, which defines the system of internal affairs bodies and the procedure for appointing their heads. The most important element of legal status is the centralized nature of personnel management. According to the Law of the Republic of Uzbekistan "On Internal Affairs Bodies," the organizational and staffing structure and the maximum number of internal affairs bodies are approved by the President of the Republic of Uzbekistan. This provision highlights the high level of state control over the formation of law enforcement personnel.

The system of appointing heads of territorial bodies is built on the principle of hierarchical subordination with a clear distribution of powers. According to the norms of legislation, the heads of district and city internal affairs departments (divisions) are appointed and dismissed by the Minister of Internal Affairs of the Republic of Uzbekistan upon the submission of the Minister of Internal Affairs of the Republic of Karakalpakstan, the heads of the Main Internal Affairs Directorates of the city of Tashkent and Tashkent region, as well as the heads of the internal affairs directorates of the regions.

The legal status of territorial internal affairs bodies is characterized by their organizational independence within the general system of the Ministry of Internal Affairs. Because territorial internal affairs bodies are considered legal entities and carry out their activities in accordance with the Regulation approved by the Minister. This gives them a certain autonomy in resolving issues of local importance while adhering to general principles and requirements established at the ministry level.

The functional content of the activities of the head of the territorial body of internal affairs is determined by the wide range of powers in the field of ensuring public safety.

The powers of the head of the territorial body include coordinating the activities of subordinate subdivisions, interaction with local self-government bodies and public organizations, and organizing preventive work. The management system is built on the principles of unity of command, which is characteristic of law enforcement agencies.

The sphere of activity of territorial internal affairs bodies covers various areas of law enforcement work, including the technical and forensic support of operational-search activities and investigative actions, organizing the maintenance of information-reference and forensic records, card files, and collections; carrying out proceedings in cases of administrative offenses, organizing the execution of decrees on the application of administrative penalties in cases stipulated by law.

The system of subordination of heads of territorial internal affairs bodies is built on the principle of administrative hierarchy with clear delineation of management levels. The vertical management includes the central office of the ministry, regional departments, and district (city) subdivisions. Each level has its own specific functions and powers, which ensures the effectiveness of managing the entire system.

An important element of the control mechanism is the system of accountability to representative bodies of power, which corresponds to the democratic principles of state structure. Thus, the Minister of Internal Affairs of the Republic of Karakalpakstan, the heads of the Main Department of Internal Affairs of the city of Tashkent and the departments of internal affairs of the regions

shall submit quarterly reports on the state of prevention and prophylaxis of offenses to the Jokargy Kenes of the Republic of Karakalpakstan, the Kengashes of People's Deputies of the city of Tashkent and regions.

A similar reporting system operates at the district level: the heads of district (city) internal affairs departments (divisions) quarterly and their deputies for youth affairs - heads of departments (divisions) for the prevention of offenses - monthly submit reports to the district (city) Councils of People's Deputies on the state of prevention and prevention of offenses. Such periodicity of reporting ensures constant monitoring of the activities of territorial bodies by representative bodies of power.

Reporting activity is not limited to the formal presentation of documents, but involves active interaction with the public. Representatives of other state bodies, citizens' self-government bodies, enterprises, institutions, organizations, including non-governmental non-profit organizations, political parties, mass media located in the relevant territory, and other persons may be invited to hear the reports of the heads of the territorial subdivisions of the Ministry of Internal Affairs of the Republic of Uzbekistan.

The disciplinary responsibility of the heads of territorial internal affairs bodies is regulated by special regulatory acts that establish both general principles and specifics of holding the leadership accountable. The system of disciplinary responsibility is built on the principles of fairness, proportionality, and individualization of punishment.

The peculiarities of disciplinary responsibility in internal affairs bodies are related to the presence of special compositions of disciplinary offenses and measures of influence. A superior who fails to submit a subordinate to be awarded the next special rank in a timely manner shall bear disciplinary responsibility for this. This norm emphasizes the personal responsibility of managers for compliance with the deadlines and procedures for personnel work.

The system of disciplinary sanctions includes various measures of influence, differentiated depending on the severity of the offense and the official position of the offender. Postponement of submission for the assignment of the next special rank, reduction in the special rank of persons of the junior, middle, and senior commanding staff by one degree may be carried out as a disciplinary measure by decision of the direct superiors, who are granted such a right by the disciplinary charter of the internal affairs bodies.

An important guarantee of legality is the right of employees to refuse to execute illegal orders, which corresponds to the principles of a legal state. Employees of internal affairs bodies have the right not to execute orders of higher authorities if they are knowingly illegal or criminal in nature. This provision contributes to the formation of a culture of legality in law enforcement agencies and the prevention of abuse of office.

Personnel policy in territorial internal affairs bodies is carried out within the framework of a centralized personnel management system. The personnel support system is built on the principles of professionalism, competence, and compliance with the position held. Positions to be filled by personnel of the rank-and-file, junior, middle, and senior commanding staff, and corresponding special ranks to these positions, are determined by the Minister of Internal Affairs of the Republic of Uzbekistan, and those of the highest commanding staff - by the Cabinet of Ministers of the Republic of Uzbekistan.

The procedure for awarding special ranks is differentiated by the level of responsibility and official position. The rank of junior commanding officer is assigned by the chiefs who are granted the right to appoint to junior commanding officer positions; the rank of middle and senior commanding officer is assigned by the Minister of Internal Affairs of the Republic of Uzbekistan.

Such a system ensures centralized control over career advancement and compliance with established criteria.

Requirements for candidates for service in the internal affairs bodies include both professional and moral-ethical criteria. Persons who have previously committed crimes, as well as those who are negatively characterized at their place of residence, work, or study, cannot be accepted for service in the internal affairs bodies. This requirement is aimed at ensuring a high moral profile of law enforcement officers.

The personal responsibility of managers for personnel work is emphasized by special norms establishing personal responsibility for compliance with personnel legislation. The immediate superiors and other officials of internal affairs bodies are personally responsible for the accurate compliance with the requirements of these Regulations and other regulatory documents on service and personnel work.

The modern concept for the development of internal affairs bodies implies active interaction with civil society institutions, which corresponds to the principles of a democratic state structure. This is manifested in various forms of public control and citizen participation in ensuring public safety.

The practice of conducting personal receptions of citizens by heads of territorial internal affairs bodies is an important element of feedback with the population. In order to improve the effectiveness of work with citizens' appeals, the Ministry of Internal Affairs and its territorial bodies regularly hold personal and field receptions of citizens by the leadership. This practice contributes to strengthening trust between law enforcement agencies and citizens.

Territorial internal affairs bodies have broad powers to interact with the mass media in order to inform the public about their activities. Internal affairs bodies have the right to use free of charge the capabilities of mass media established by state bodies to establish the circumstances of crimes, persons who have committed them, to search for persons hiding from the bodies of inquiry, investigation, and court, evading criminal punishment and administrative penalties, as well as missing persons.

The process of reforming the internal affairs system in the Republic of Uzbekistan significantly influenced the legal status of heads of territorial bodies. The reforms are aimed at modernizing the structure of internal affairs bodies, increasing the effectiveness of their activities, and strengthening responsibility for the results of their work.

In accordance with the Presidential Decree No. PP-2883 of April 12, 2017, "On Organizational Measures for Further Improvement of the Activities of Internal Affairs Bodies," significant reorganization of the system was carried out. The Ministry of Internal Affairs was instructed to approve, within one month, standard regulations on the structural and territorial subdivisions of the Ministry of Internal Affairs of the Republic of Uzbekistan, providing for a clear delineation of tasks and functions between the middle and lower levels, as well as the functional duties of employees.

Strengthening the personnel potential of law enforcement agencies has become an important direction of reforms. The scale of the system, powers, and areas of responsibility of the Ministry of Internal Affairs of the Republic of Uzbekistan emphasizes the importance of effective human resource management and the need for a clear distribution of powers between different levels of leadership.

The reform also touched upon the issues of organizing spiritual and educational work and preventing offenses among employees. Priority areas include the timely detection, suppression, and prevention of abuse of office, corruption, and other illegal actions by internal affairs officers; organizing the professional, physical, and combat training of internal affairs officers.

Legal regulation of the activities of internal affairs bodies is carried out on the basis of strict observance of the principle of legality. Employees of internal affairs bodies are obliged in their activities to precisely observe and execute the requirements of the Constitution of the Republic of Uzbekistan, this Law, and other legislative acts. This principle is fundamental for the entire system of law enforcement agencies.

Violation of the principle of legality entails inevitable responsibility, regardless of the motives and circumstances. Any deviation from the precise execution and observance of laws, regardless of the motives, is a violation of legality and entails the established liability. This provision emphasizes that the requirements of the law are unconditional for all employees of internal affairs bodies.

The system of internal affairs bodies functions as a single mechanism, all elements of which are interconnected and interdependent. Territorial bodies are the most important link in this system, ensuring the direct implementation of state policy in the field of public safety at the local level. Their heads are personally responsible for the state of law and order in the subordinate territory.

The conducted research allows us to draw the following conclusions about the features of the administrative and legal status of the head of a territorial internal affairs body in the Republic of Uzbekistan:

Firstly, the legal status of the head of a territorial internal affairs body is characterized by a complex multi-level structure, including constitutional foundations, special legislative regulation, and departmental regulatory acts. The key element of this system is the Law "On Internal Affairs Bodies" of September 16, 2016, No. ZRU-407, which defines the basic principles of the organization and activities of territorial bodies, their tasks and functions.

Secondly, the system of appointment and subordination is built on the principle of centralized management with a clear distribution of powers between different levels of the hierarchy. The heads of territorial bodies are appointed by the Minister of Internal Affairs upon the recommendation of higher-ranking officials, which ensures the unity of personnel policy and control over the quality of managerial personnel.

Thirdly, the functional powers of the heads of territorial bodies encompass a wide range of tasks related to ensuring public safety, coordinating the activities of subordinate units, and interacting with government bodies and public organizations. At the same time, their activities are subject to multi-level control by higher authorities and representative bodies of power.

Fourthly, the system of disciplinary responsibility provides for special measures of influence that take into account the specifics of official activity in the internal affairs bodies. An important guarantee of legality is the right to refuse to execute illegal orders, which contributes to ensuring the legality of law enforcement actions.

Fifthly, the current stage of development is characterized by the strengthening of interaction with civil society institutions, including regular reporting to representative bodies of power and public participation in monitoring the activities of territorial internal affairs bodies. This aligns with the principles of a democratic state structure and contributes to increasing citizens' trust in law enforcement agencies.

Thus, the administrative-legal status of the head of a territorial internal affairs body in the Republic of Uzbekistan represents a complex legal structure that reflects the specifics of the organization and functioning of the law enforcement system in the context of democratic transformations. The study showed that this legal institution is in a dynamic state of development due to the ongoing reforms in the country's public administration and the modernization of the law enforcement system.

A key feature of the administrative and legal status of the head of a territorial internal affairs body is the combination of broad managerial powers with a high degree of responsibility to the state and society. This is manifested in the multi-level system of control, including departmental, state, and public control, which corresponds to the principles of a legal state and ensures a balance between management effectiveness and the protection of citizens' rights.

The analysis conducted indicates a gradual transition from the traditional administrative-command management model to a more flexible system that takes into account the needs of local communities and involves active interaction with civil society institutions. This requires from the heads of territorial internal affairs bodies not only professional competencies in the field of law enforcement activities, but also skills in public administration, communication with various social groups, and strategic planning.

The issue of further improving the legal regulation of the status of heads of territorial internal affairs bodies in the context of the digitalization of public administration and the introduction of modern information technologies is of particular importance. This will require a review of existing approaches to work organization, reporting systems, and control mechanisms for law enforcement agencies.

The system of appointment and subordination, built on the principle of centralized management, ensures the unity of personnel policy and the coordination of activities at all levels. However, in the context of the democratization of social relations, the role of public control and accountability to representative bodies of power is increasing, which contributes to increasing the transparency and effectiveness of law enforcement activities.

The disciplinary responsibility of the heads of territorial internal affairs bodies is characterized by specific features that take into account the specifics of their official activities in the field of law enforcement. An important element of ensuring legality is the right to refuse to execute illegal orders, which contributes to the formation of a culture of lawful behavior in the internal affairs bodies.

Personnel policy in territorial internal affairs bodies is built on the principles of professionalism and competence, which is ensured by a centralized personnel management system and strict requirements for candidates for service. The personal responsibility of managers for compliance with personnel legislation contributes to maintaining high standards of professional activity.

Interaction with civil society is becoming an increasingly important area of activity for territorial internal affairs bodies. Regular public reports, personal receptions of citizens, and the use of modern information technologies contribute to strengthening trust between law enforcement agencies and the population.

A promising direction for development is the further decentralization of powers in the field of ensuring public safety while simultaneously strengthening the mechanisms of accountability and transparency of the activities of territorial internal affairs bodies. This will contribute to increasing the effectiveness of law enforcement activities and strengthening citizens' trust in government bodies.

An important area of improvement is the development of international cooperation and the study of best foreign practices in organizing the activities of law enforcement agencies. This will allow for the adaptation of best practices to national conditions and increase the effectiveness of territorial internal affairs bodies.

The reform of the law enforcement system being carried out in the Republic of Uzbekistan is aimed at creating a modern, effective, and accountable to society system for ensuring public safety. The administrative and legal status of the head of a territorial internal affairs body is a key

element of this system and requires constant improvement in accordance with the changing needs of society.

Thus, the administrative-legal status of the head of a territorial internal affairs body in the Republic of Uzbekistan is characterized by the dynamism of development, the balance of powers and responsibilities, as well as orientation towards the needs of society and the requirements of a legal state. Further improvement of this legal institution should be carried out taking into account international experience and the national characteristics of the development of the law enforcement system in Uzbekistan, which will contribute to increasing the effectiveness of ensuring public safety and strengthening law and order in the country.

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