

Purpose and Duties of Cooperation of Internal Affairs Bodies with Citizen 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

Further development of free civil society in our country, protection of human rights and legal interests, protection of democratic values, increase of legal awareness and culture of the population require effective cooperation of state bodies and institutions of civil society.

Further development of free civil society in our country, protection of human rights and legal interests, protection of democratic values, increase of legal awareness and culture of the population require effective cooperation of state bodies and institutions of civil society.

Ensuring public safety is carried out in cooperation with state agencies and organizations, citizens' self-government bodies, non-governmental non-profit organizations, public associations, citizens and mass media.

Effective results cannot be achieved without the cooperation of internal affairs bodies with self-government bodies of citizens in preventing and fighting crime, maintaining public order and ensuring public safety in our country.

According to the results of the legislative analysis of the Republic of Uzbekistan, the laws "On Internal Affairs Bodies" ¹and "On Self-Governing Bodies of Citizens" ²do not specify the purpose of each body, and their joint purpose is not reflected in any regulatory legal document.

It will be possible to increase the efficiency of cooperation and achieve the expected result only if the main goal of the internal affairs bodies in terms of cooperation with citizens' self-governance bodies is determined, and tasks and functions are correctly defined.

internal affairs bodies and citizens' self-government bodies, first of all, we should turn to the etymological meaning of words such as "goal", "task" and "function", which make up the structure of the cooperation we are considering. according to

According to the explanatory dictionary of the Uzbek language: "goal" is the root of Arabic "intention, high desire; It is derived from the word "aspiration" and it means to achieve, to realize, to wish, to fulfill ³; "task" is derived from the Arabic word "action, position, assignment" and is a task that must be carried out, resolved, intended, purposeful work ⁴; "function" is derived from the Latin word "functio" which means to perform ⁵.

¹ Law No. 407 of the Republic of Uzbekistan "On Internal Affairs Bodies". Collection of documents of the Republic of Uzbekistan, 2016, No. 38, Article 438.

²of the Republic of Uzbekistan "On Self-Governing Bodies of Citizens" No. O'RQ-350. Collection of legal documents of the Republic of Uzbekistan, 2013, No. 17, Article 219.

³An explanatory dictionary of the Uzbek language: about 80,000 words and phrases. J. II. E-M / Responsible editor A. Madvaliev. - T.: State Unitary Enterprise "Uzbekistan Publishing House", 2020. - 570 p.

⁴An explanatory dictionary of the Uzbek language: about 80,000 words and phrases. J. I. A-D / Responsible editor A. Madvaliev. - T.: State Unitary Enterprise "Uzbekistan Publishing House", 2020. - 433 p.

However, in the theory of the state and law, jurist scholars have found evidence in the following theoretical opinions about the interrelation of the state's goals, tasks and functions.

The goals and tasks represent the social essence of the state, and the achievement of certain goals and the solution of specific tasks facing the state are carried out by performing certain functions ⁶.

The tasks and functions of the state arise from its purpose. When the state expresses its purpose, its social status is manifested. To achieve the goal, it is necessary to solve certain tasks. This requires the implementation of appropriate functions ⁷.

must solve certain tasks, which in turn is related to the implementation of the corresponding functions. A task is a problem that needs to be solved, while a function is a type of activity directed at such a solution ⁸.

State functions are determined depending on the main goals and tasks facing the society at one or another stage of development and appear as a means of realizing these tasks ⁹.

State function is the main course of action of the state and the goals and tasks arising from it ¹⁰.

Therefore, after analyzing the above opinions of legal scholars and agreeing with their opinion, it can be concluded that in any social cooperation, the goal is determined first and the tasks for the realization of this goal are determined, and certain functions are performed to fulfill the tasks.

We can see that the concept of "goal" has been interpreted differently by scholars in social humanitarian and legal sciences.

A goal is a strong, profound thought that arises in human thinking, has a social character, has a strong influence on the psyche, calls society and people to action, and leads to a goal ¹¹.

O.S. Gorodina said that the nature and direction of relations between the state and society are determined by the goals and tasks of the participants of cooperation, their level of socio-political activity and culture, and the relevance of the problems they are solving ¹².

Agreeing with the opinion of the above scientists, it can be noted that cooperation between the participants of any social relationship in society is built on the basis of a specific goal, there is no cooperation without a goal.

In scientific research works and legal literature, there are several scientific approaches regarding the purpose and tasks of cooperation between internal affairs bodies and self-government bodies of citizens, which indicates the relevance of the purpose of cooperation.

Mutual cooperation of internal affairs bodies with citizens' self-governance bodies should be based on unity of goals and tasks, compatibility of interests as a necessary condition for the effective functioning of the law enforcement system ¹³.

⁵An explanatory dictionary of the Uzbek language: about 80,000 words and phrases. J. IV. T-Sh / Responsible editor A. Madvaliev. - T.: State unitary enterprise "Publishing of Uzbekistan", 2020. - 367 p.

⁶Kulapov V.L. Sootnoshenie tseley, zadach i funktsi gosudarstva. Vestnik Saratovskoy gosudarstvennoy yuridicheskoy academy. – No. 2 (97)-2014. - S. 32.

⁷Saidov A., Tajikhonov U. T. Theory of state and law: Textbook. two volumes. Volume 1. State theory. Academy of Ministry of Internal Affairs of the Republic of Uzbekistan, 2001. p. 193.

⁸Najimov M., Saydullaev Sh. State functions: Study guide. - T.: TDYuI, 2004. - B.10.

⁹Theory of state and law: Textbook / Kh.T. Odilkoriev, I.T. Tulteev et al. - T.: "Sharq", 2009. - p. 109.

¹⁰Teoriya gosudarstva i prava // Pod. Ed. V. M. Korelskogo V. D. Perevalova. - M.: Infra - N - norm, 2001. P.146.

¹¹<https://www.elib.buxdu.uz/index.php>

¹²Gorodina O.S. Vzaimodeystvie grazhdanskogo obshchestva i gosudarstva v sovremennoy Rossii: opyt, vedushchie tendentsii, perspective: Dis candy. political science. Orel, 2007. S. 13.

¹³Fedorova I.V. Tseli i zadachi vzaimodeystviya politicii s institutami grazhdanskogo obshchestva. Vestnik Moskovskogo universiteta MVD Rossii. No. 12/2014. -S.190.

The main purpose of cooperation of internal affairs bodies and institutions of civil society in law enforcement activities is to serve the interests of society ¹⁴.

As stated by Professor Z.S.Zaripov, the purpose of mutual cooperation is the correct distribution of forces and means, joint action in solving the common tasks facing the management system ¹⁵.

The goal of mutual cooperation between internal affairs bodies and self-government bodies of citizens is to prevent errors and shortcomings, to increase the quality and efficiency of the activities of cooperating entities ¹⁶.

the opinions of the above researchers and the analysis of scientific works on cooperation, we try to consider the purpose of cooperation between internal affairs bodies and citizens' self-government bodies, conditionally divided into three, that is, close goals, long goals, and final goals of cooperation.

1) *Immediate goals* - establishing cooperation, defining its directions, mechanisms, forms and methods, legal bases, as well as achieving effective use of existing forces and tools by identifying and eliminating existing errors and shortcomings in this field.

2) *Long-term goals* are to achieve systematic functioning of internal affairs bodies and citizens' self-government bodies for the effective implementation of tasks in all directions in order to achieve a single goal.

3) *The final goals* are to achieve a peaceful, peaceful and prosperous life of the people by ensuring the implementation of the tasks assigned to the internal affairs bodies and self-government bodies of citizens in a stable and efficient manner.

As a conclusion, it should be emphasized that short-term goals are variable in nature and serve to achieve long-term goals, while long-term goals serve to ensure the achievement of final goals in their place.

Although some theoretical views and opinions have been formed in the legal literature and scientific research of scientists regarding the conditions and requirements of the goals of cooperation between internal affairs bodies and self-government bodies of citizens, however, the requirements and conditions for this goal of cooperation have not been comprehensively and systematically analyzed.

After all, in our opinion, the following requirements and conditions should be observed for the purposes of the cooperation of the internal affairs bodies with the citizens' self-government bodies: *first* , clearly defined goals; *secondly*, the compatibility and commonality of the goals of the parties; *thirdly*, the agreement of the parties in achieving goals in cooperation ; *fourthly* , cooperation is focused on common goals; *fifth* , that the goals of cooperation are in line with the interests of the parties.

Cooperation of internal affairs bodies with self-government bodies of citizens can be positive and effective only if the goals are clearly defined, agreed, unified and harmonious by the subjects of social partnership, otherwise the desired result will not be achieved through cooperation.

After all, effective establishment of mutual cooperation between law enforcement bodies and institutions of civil society serves to realize the interests of citizens, society, and the state, and ensures the balance and harmony of interests ¹⁷.

As a result of the above analysis, in our opinion, the following goals can be achieved as a result of mutual cooperation of internal affairs bodies with self-government bodies of citizens.

¹⁴ Menshikova N. S. Partnerskaya model vzaimodeystviya gosudarstva i grazhdanskogo obshchestva: soderzhanie, priznaki i usloviya sozdaniya // Voprosy gosudarstva i prava: sbornik nauchnykh trudov / Pod obshch. ed. L. V. Karnaushenko. Vyp . 2. Krasnodar: Krasnodarsky University MVD Rossii, 2016. S. 82–91.

¹⁵ Zaripov Z.S. Prophylactic function sledstvennykh podrazdeleniy organov vnutrennix del. - T., 1980. -S. 57.

¹⁶N.E. Ilina. Osnovnye principy vzaimodeystviya territorialnykh podrazdeleniy politicii s ispolnitelnymi organami gosudarstvennoy vlasti sub'ektov rossiyskoi federatsii i organami mestnogo self-management / politicheskoe prostranstvo regiona . - M., 2016, magazine "Regionology", S. 10.

¹⁷Jalilov A., Mukhammadiev U., Joraev Q. and others. Foundations of civil society. - T., 2015. - B. 120-124.

For immediate goals:

- Increasing the level of protection of citizens' rights and freedoms by internal affairs bodies;
- forming a system of social partnership in the activities of internal affairs bodies;
- To increase the level of trust of the population in relation to internal affairs bodies.
- Expanding the participation of citizens' self-governance bodies in solving complex, important social tasks facing internal affairs bodies;
- to determine the causes of crime in every neighborhood, family and individual and eliminate them
- attracting all the necessary forces and means to eliminate "crime hotbeds" based on the crime situation in the regions;

For long-term goals:

- development and implementation of a single strategy and direction of activity of subjects, establishment of certain relations between them;
- rational distribution of functional tasks among active subjects of the system;
- stable functioning of the mechanism of development, discussion and implementation of joint activities;
- goal orientation of solving current problems;
- elimination of duplication of functions (authorities) of subjects;
- forces and tools reasonable distribution and of them efficient requires use .

The ultimate goals are:

- creation of an effective mechanism of public control over the activities of internal affairs bodies;
- introduction of integrated management and continuous control mechanisms based on the "republic - region - district - neighborhood" system;
- creation of a modern image of law enforcement officers and implementation of completely new mechanisms of public safety organization to achieve full digitization of the sector.
- theoretical – legal provision;
- improvement of organizational-tactical, material-technical and personnel provision;
- introduction of modern information and communication technologies in the field and digitization of the system;

In our research work, it will be appropriate for us to identify certain tasks for the realization of the goals of the cooperation of internal affairs bodies and self-government bodies of citizens, and then to analyze the functions that should be performed by these tasks.

In the process of research, based on the goals of cooperation between internal affairs bodies and citizens' self-governance bodies, it is appropriate to first analyze the tasks of cooperation, and then the functions it should perform.

Consideration of the tasks of cooperation of internal affairs bodies with self-government bodies of citizens based on the main directions of the services of internal affairs bodies directly serves to further clarify them.

The task of cooperation is to ensure clear mutual cooperation from all possible relations as a necessary condition for optimizing the management activities and improving the efficiency of internal affairs bodies and citizens' self-government bodies ¹⁸.

¹⁸Makarova E.G., Kryuchkov V.G. Principy vzaimodeystviya politzii s organami ispolnitelnoy vlastyu sub'ektov RF i mestnogo self-government RF / http://www.kizilov-inc.ru/sites/default/files/gm_articles/principy_vzaimodeystviya_policii_s_ispolnitelnoy_vlastyu_0.pdf

Huqushnologists classify the duties of internal affairs bodies in cooperation with citizens' self-government bodies according to various criteria ¹⁹.

Although the legal documents do not specify the tasks of cooperation between internal affairs bodies and self-government bodies of citizens, but relying on the above approach of Professor I. Ismailov, we try to consider the tasks of cooperation of these bodies conditionally into five groups:

It should be emphasized that the tasks of the internal affairs bodies in cooperation with the citizens' self-government bodies are directly ensured by the implementation of specific measures. That is why, as we mentioned above, we consider the implementation of tasks in four directions in harmony by performing certain functions.

1) Duties of cooperation in the field of crime prevention:

- implementation of early prevention of violations;
- work with the category of persons prone to commit crimes;
- implementation of administrative control over certain categories of persons released from penal institutions;
- collaborative tasks, which are carried out in relation to categories of persons with a high tendency to be victims of crime, including crimes.

2) Tasks in the field of public safety:

- cooperative tasks in the field of road safety;
- cooperative tasks in the field of maintaining public order;
- tasks related to cooperation in the field of control license and permit system;
- tasks of cooperation in the field of migration and registration of entry and exit abroad;
- cooperative tasks in the provision of civil protection, prevention and elimination of emergency situations;

3) Tasks related to cooperation in ensuring the inevitability of responsibility for offenses, including committed crimes:

- tasks in cooperation with the criminal investigation service;
- tasks of cooperation with the service for combating terrorism and extremism;
- tasks of cooperation with inquiry and preliminary investigation services ;

4) Tasks related to cooperation in the field of enforcement of punishments appointed by the court.

In short, as a result of the cooperation of internal affairs bodies and citizens' self-government bodies, protecting the rights and freedoms of citizens in the neighborhood, maintaining public order and ensuring public safety, early prevention and combating of crimes, raising legal awareness and legal culture in society, it is possible to implement legal promotion and propaganda work on forming an attitude of intolerance towards law violations in citizens and instilling a sense of respect for the law.

¹⁹Gorodnina O.S. Vzaimodeystvie hrajdanskogo obshchestva i gosudarstva v sovremennoy Rossii: opyt, vedushchie tendentsii, perspektivy : Dis candy. polit. Nauk. Orel, 2007, S. 13 . A. V. Zimin. Concept of the development of the federal organization of the federal government in the sphere of internal affairs of the city / Trudq Akademii upravleniya MVD Russia, 2011, No. 2 (18), S.108.; I.V. Fedorova. Tseli i zadachi vzaimodeystviya politicii s institutami grajdanskogo obshchestva / Vestnik Moskovskogo universiteta MVD Rossii. No. 12, 2014. – S.195.; Fundamental reforms in the system of internal affairs bodies - the guarantee of serving people's interests: Study guide / I. Ismailov, O'. Kh. Mukhamedov, M.Z. Ziyodullaev et al. Under the general editorship of Lieutenant General B.A. Matlyubov. – T.: Ministry of Internal Affairs of the Republic of Uzbekistan, 2017. – P.9-10.