



OPENNESS OF THE ACTIVITIES OF INTERNAL AFFAIRS BODIES - AN IMPORTANT CONDITION OF A LEGAL STATE

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<https://doi.org/10.5281/zenodo.16990930>

Abstract: Openness of the activities of internal affairs bodies, as one of the main conditions of a state governed by the rule of law, serves to form trust between the state and citizens, ensure the rule of law, and strengthen justice in society. Openness ensures citizens' awareness of the activities of internal affairs bodies, their involvement in decision-making processes, and the implementation of public control. This will help prevent corruption, protect rights and freedoms, and increase the responsibility of government bodies. This annotation examines the role and importance of the principles of openness of internal affairs bodies in the development of the rule of law.

Keywords: Internal affairs bodies, openness, rule of law, public control, trust, prevention of corruption, citizen participation, responsibility, freedom of information.

The rule of law is a principle directly related to the concepts of people's power and human rights. Because people's power means the right of citizens to directly or indirectly participate in the decision-making process. Human rights and freedoms are implemented through laws, although the ultimate goal of laws is to protect the individual and their rights and freedoms.

The main defining criterion of democracy in any state is the degree of protection of human rights and freedoms. Indeed, the main condition for building a legal democratic state is the protection of human rights and freedoms and the creation of a real system for guaranteeing the rights and freedoms of every person in society.

Indeed, today the whole world pays great attention to the issue of human rights. In particular, the implementation of various reforms in the field of human rights in the Republic of Uzbekistan, its membership in many international organizations, and the ratification of human rights documents are clear evidence of the increased attention to the protection of human rights and freedoms in the Republic of Uzbekistan.

In this regard, as the President of the country Shavkat Mirziyoyev noted: "State building and governance, all political structures, their working methods and activities are also formed on the basis of this principle. In reality, first of all, a person, his rights and well-being should be the highest priority goal of state policy and the activities of all state bodies. The construction of society and state policy should be based on this idea and should be organized on the basis of the principle "The state is for the people." Adherence to this principle indicates the need to make the individual and their interests the main criterion of state policy and reforms. This is the reason for the recognition not only in our country, but also throughout the world of the conformity of these reforms to the most democratic principles, the fact that their ultimate goal and the priority direction of state policy are aimed at ensuring the interests, rights, and freedoms of the individual"[1].

Undoubtedly, a deep scientific and theoretical study of the functions of the state in the context of legal reforms based on democratic principles and national values, as well as the formation of a market economy, is one of the pressing issues of jurisprudence.

In a legal democratic state, special attention is paid to reforming the information sphere and ensuring citizens' freedom of information and speech. In this regard, the Law "On Openness of the Activities of State Authorities and Administration" was adopted. First of all, it should be noted that this law is significant because it defines the procedure for informing the public about the activities of state authorities. It is important to ensure that the population, public associations have a broad understanding of the decisions made by state authorities, in particular, documents related to the rights, freedoms, and legitimate interests of citizens.

This law creates the basis for the open and transparent conduct of the activities of state authorities, the establishment of legal foundations in this area. The Law is valuable because it ensures wide access of the population to information about the activities of state authorities and administration, fully realizes the constitutional right of citizens to receive information, expands its forms and methods, and at the same time increases their responsibility for decisions made by state authorities and administration.

The law also provides for a legal definition of the activities of state authorities and administration, information about their information service, the status of its users, and a clear definition of the rights and obligations of the parties. Access to information on the activities of state authorities and administration should be carried out on the basis of the principles of openness and transparency, relevance, promptness, and reliability of the information provided.

Of course, it is necessary to clearly define the sources of information about the activities of state authorities and administration. In addition, responsibility for the accuracy and completeness of relevant information should be strengthened in ensuring access to information about the activities of state authorities and administration. Ensuring public awareness of information about the activities of state authorities and administration is a pressing issue, primarily through the mass media. Therefore, it is necessary to clearly define the norms for the participation of representatives of the mass media in meetings of government bodies.

According to international experience, the participation of mass media workers in open events of state authorities and administration is ensured. The media outlet and its representative must first inform the accredited body of state power and administration about important events and plans, and provide organizational assistance to the journalist in fulfilling their professional duties.

In this regard, special attention is paid to clearly defining the rights of mass media accredited to state authorities and administration, as well as their representatives. In today's process of development of modern information and communication technologies, great attention is paid to the effective use of the Internet in the construction of the state and society. In particular, official websites play an important role in quickly and effectively meeting the need for information on the progress of socio-economic reforms. Therefore, the law provides for the inclusion of a description of the information that must be posted on the official website of the body of state power and administration. In particular, the website of the relevant body should include detailed information on the structure, functions, tasks, managers of this body,



as well as laws and regulatory legal acts related to its activities, as well as measures related to the activities of the body of state power and administration.

In a word, the adoption of this law will serve to further increase the effectiveness of the democratic reforms being carried out in our country, and fully ensure the constitutional rights of citizens in the information sphere. This will become a solid foundation for increasing the socio-political activity of the population in the construction of the state and society.

Certainly, as a logical continuation of the reforms being carried out in the system of law enforcement agencies, in particular, internal affairs bodies, in order to further strengthen the guarantees of human life, freedom, honor, dignity, and other inalienable rights recognized as the highest value in Uzbekistan, the Law of the Republic of Uzbekistan "On Internal Affairs Bodies" was adopted on September 16, 2016.

The purpose of this law is to regulate the activities of the internal affairs bodies of the Republic of Uzbekistan, in which it is enshrined that the basic principles of the activities of internal affairs bodies are legality, unity, observance of the rights, freedoms, and legitimate interests of citizens, respect for these rights, freedoms, and legitimate interests, openness, and transparency.

Along with this, the law defines the main tasks of internal affairs bodies as protecting 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 prophylaxis of offenses. Today, the activities of internal affairs bodies are carried out in connection with the strengthening of law and order in the country, taking decisive measures to combat corruption and organized crime.

Another important aspect of the law is that, based on the requirements of the main tasks, directions, and principles of the activities of internal affairs bodies, certain coercive measures by internal affairs bodies, as well as the grounds and procedure for the use of physical force, special means, and firearms by their employees, and the requirements and conditions imposed on employees, are clearly defined.

The law also addresses a number of issues. In particular, the procedure and conditions for service in the internal affairs bodies, issues of legal and social protection of employees of internal affairs bodies are covered in detail. In particular, the chapter "Conditions and Procedure for Serving in the Internal Affairs Bodies" includes norms on ensuring equality of citizens' rights during service in the internal affairs bodies, admission to service in the internal affairs bodies, admission to educational institutions of the Ministry of Internal Affairs, a preliminary probationary period for persons accepted for service, and taking an oath.

The chapter of the Law "Legal and Social Protection of Employees of Internal Affairs Bodies" establishes the following provisions on guarantees of legal protection of employees of internal affairs bodies:

- an internal affairs officer acts as a representative of a state body and is under the protection of the state;
- the subordination of an internal affairs officer in the performance of official duties only to his direct or immediate superior;
- no one, except for persons authorized by law, has the right to interfere in the lawful activities of an internal affairs officer, to compel an internal affairs officer to perform duties not assigned by law to internal affairs bodies;



- the right of an internal affairs officer to refuse to execute an order or instruction that clearly contradicts the law, and the obligation to comply with the law;
- an employee of the internal affairs body is not obliged to give any explanations on the merits of the cases and materials under his jurisdiction, as well as to submit such cases and materials, including those affecting the rights, freedoms, and legitimate interests of citizens, for review in any other manner than in cases and in the manner prescribed by law;
- employees of internal affairs bodies have the right to appeal decisions and actions (inaction) taken against them to higher officials, the prosecutor, or the court in the prescribed manner.

The Law provides for the inclusion of the following in the social protection of employees of internal affairs bodies: protection of the employee's health, remuneration of labor, provision of housing, compensation for damage caused to property, preferential use of vehicles in the performance of official duties, state pension provision, state insurance, and provision of social assistance.

In conclusion, it can be said that this law serves to ensure peace and tranquility in the country, public order and the security of citizens, sustainable development, further improvement of the activities of internal affairs bodies, training highly qualified specialists for internal affairs bodies, effective provision of legal and social protection of internal affairs bodies.

References:

1. Mirziyoyev Sh.M. New Uzbekistan Strategy. - Tashkent: Publishing House "Uzbekistan," 2021. Page 67.
2. Law of the Republic of Uzbekistan dated September 16, 2016 No. 3PY-407 "On Internal Affairs Bodies" / Collection of Legislation of the Republic of Uzbekistan. No. 38 (746) of September 26, 2016.
3. Law of the Republic of Uzbekistan dated September 16, 2016 No. 3PY-407 "On Internal Affairs Bodies" / Collection of Legislation of the Republic of Uzbekistan. No. 38 (746) of September 26, 2016.

