

Improving Public Safety during Public Events

Toshmuxammatov Asadbek

Independent researcher at, University of Public Safety

Tukhtaev Uktamjon

Tashkent State Law University, Lecturer at Department of Civil Law

Article Information

Received: December 22, 2022

Accepted: January 23, 2023

Published: February 24, 2023

Keywords: public safety, public event, National Guard, Internal Affairs officers, security, concept, citizen, social activism, participants.

ABSTRACT

In this article, the process of socio-economic and political reforms, democratization, humanization of public life in the Republic of Uzbekistan, in which social order, peace and tranquility in society, protection of the rights, freedoms and legal interests of citizens, protection of public order, individual, society and that the issues of ensuring state security, an integrated legal system for the prevention and prevention of crimes, strengthening legality, improving legal culture, ensuring the reliability of the protection of the individual, society and the state, as well as law and order in general, are of particular importance. Some comments on holding public events in the country, changes being implemented in this field in our country, and legislation related to this field and their improvement are given. In addition, a necessary condition for ensuring public order and safety during public events is the order of their organization and conduct, as well as the actions of state authorities and local self-government bodies of citizens aimed at preventing violations of this order and bringing guilty persons to justice. Priority proposals were put forward in terms of legal regulation, creating a new image of law enforcement agencies in our developing democratic state, and developing cooperation.

In modern society, one of the most common forms of social activity of the population aimed at satisfying the communicative, sports and cultural needs of the individual is the organization of various public events. The implementation of the principle of democracy in the Republic of Uzbekistan is carried out through the active participation of citizens in the events held by state bodies, political parties and public associations, as well as various trade unions, sports, cultural, religious and other organizations.

Public events are one of the forms of exercising the constitutional rights and freedoms of citizens, they are, as a rule, open to a large number of citizens and are held on city streets, squares, various buildings, concert halls, sports facilities, specially designated held in places.

Based on the experiences of foreign countries, the issue of ensuring security at public events guarantees the right of citizens to carry out their social activities in the form of rallies, meetings and demonstrations.

In particular, in today's developed Western countries, many public experts and government officials



from all over the world consider the issues of developing the institution of rights and freedoms of citizens in their countries, before taking any specific measures, they must first solve such problems. they try to learn best practices. In such cases, countries such as France, Great Britain, USA, Japan, Italy, Canada, and Russia are the best examples that should be considered as countries with the most experience in mass events. Their rich history and the experience of forming the institution of rights and freedom through nationwide (mass) public movements are recognized by experts from all over the world. Based on the experience of these countries, the mechanisms of interaction between the authorities and their citizens are being built almost all over the world.

The fact that similar situations are happening in CIS countries such as Kazakhstan, Belarus, Ukraine, Kyrgyzstan, especially the public demonstrations that started in January 2022 in the cities of Almaty, Aktobe, Atyrau and Pavlodar of our neighboring Republic of Kazakhstan, later caused unrest in the country. As a result, the rights of citizens were seriously violated and the safety of ordinary people was seriously threatened.

In any country aiming to establish a legal democratic state, the Constitution takes priority. Because, in this basic dictionary, the main principles and principles of the state, the supremacy of the law, the basic rights, freedoms and duties of people and citizens, as well as the foundations of the organization of state power are strengthened.

Our Constitution adopted in the first years of our country's independence is recognized as one of the most important historical events in the life of our country. The important thing is that for the first time in this Main dictionary, a person, his life, freedom, honor and dignity was defined as the highest value.

As the first President of our country, I.A. Karimov, said, "Constitution is not only a document of today, but it is a document that defines the perspective of our tomorrow, the society we are building, and a beacon that illuminates the path of our children." Drafting and adoption of the constitution is only one aspect of the matter. Another important aspect of the matter is that it is necessary to be able to implement the adopted document and to comply with it. The conclusion that follows from this is that every citizen living in our republic, regardless of his position, profession, nationality, must follow our basic code. It is not for nothing that they emphasized that this is the most important condition for the progress we have achieved so far and that we can definitely achieve in the future."[1]

In this regard, in the speech of the President of the Republic of Uzbekistan Shavkat Mirziyoyev at the joint session of the chambers of the Oliy Majlis, dedicated to the ceremonial inauguration of the Republic of Uzbekistan, "another important proposal that is demanded by the representatives of the electorate in the pre-election meetings of all the candidates is the life itself, the logic of our reforms. was brought forward. Even if it is, it is the implementation of constitutional reforms in our country. If we look at the experience of the world, we can see that constitutional reforms were implemented in many countries during the period of radical change. Therefore, first of all, after consulting with our senators and deputies, the general public, and our people, we should consider the issue of improving our Basic Law, which will determine our current and future development, after studying the world constitutional experience and thinking carefully.[2], they emphasized.

Because our main goal should be not the implementation of a law, but the perfect adoption of the project. This implies important changes in the structures of the interested states. State policy will be more effective if it is created together with the people.

In the Constitution of the Republic of Uzbekistan, commitment to human rights, decent living of the citizens of the Republic, ensuring civil peace is defined as a priority task, and Article 13 of it stipulates that a person, his life, freedom, dignity and other inviolable rights are considered the highest value. is held[3]. Ensuring the implementation of these articles depends on the extent to which the criteria of justice are implemented in our country.

Article 33 of Chapter VIII of our adopted constitution entitled "Political Rights" states that "Citizens

have the right to carry out their social activities in the form of rallies, meetings and demonstrations in accordance with the laws of the Republic of Uzbekistan." The rule that authorities have the right to stop or prohibit the holding of such events only for reasons of security" [4].

The content of this article of the Constitution of the Republic of Uzbekistan corresponds to the provisions of international agreements. Article 20 of the Universal Declaration of Human Rights[5] states that "everyone has the right to freedom of peaceful assembly and association", while Article 21 of the International Covenant on Civil and Political Rights Article [6] recognizes the right to peaceful assembly. Article 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms contains the following provision: "Everyone has the right to freedom of peaceful assembly and association with others, including to form trade unions for the protection of his interests." and has the right to join them.[7]" On the implementation of this provision, the Cabinet of Ministers of July 29, 2014 "On measures to further improve the procedure for organizing and holding public events" It should be noted that Resolution No. 205 and Resolution No. 559 on amendments and additions to the rules of public events dated July 4, 2019 have been introduced.

An in-depth analysis of the results of our country's progress, the changing nature of the world market, and the rapid development of information and communication technologies accelerated the process of globalization. This, in turn, requires fundamental reforms in all spheres.

In our opinion, until today, the text of the provision mentioned in this article of our Basic Dictionary reads as follows: "Citizens of the Republic of Uzbekistan, if they do not have weapons, have the right to participate in peaceful demonstrations and meetings without prior registration or special permission, with the exception of events in the open sky", it would be appropriate to name it.

Because, in accordance with the established regulations, it is established that the right to rally, assembly and demonstration can be restricted only for reasons of security and to protect the legal interests, rights and freedoms of other persons, the state and society (Article 33). Unfortunately, the legislation does not say anything about what kind of actions can compromise security or harm the rights and freedoms of other citizens, and who determines this in what order.

In addition, the current legislation does not provide an explanation about the circumstances in which rallies, meetings or demonstrations violate the "security" referred to in the Constitution or violate the rights and freedoms of others.

The need for clear legal regulation of the constitutional right to hold rallies, meetings and demonstrations is also based on the following reasons.

First of all, the right to rallies, meetings and demonstrations is a universally recognized democratic demand and needs special protection, as it forms and expresses the opinions of various political forces. For this reason, the necessary factors are created to ensure the interaction of citizens (their associations) with mass government institutions.

Secondly, it should not be denied that peaceful public events have a degree of threat to disrupt public order and civil peace. As it is known in the world experience, demonstrations that started peacefully changed their nature and threatened the lives and health of citizens, as well as property.

In addition, it is desirable to define the term "Public events" at the legal level, which will allow to improve the activities of the Internal Affairs and National Guard bodies in the field of study.

Loss of the rule of law in a region, region, or country.

Ensuring law and order and public safety during public events in the current political, economic and social conditions in the country is a complex task that requires making various decisions, involving a large number of forces and means, mass media, as well as specialists from various fields. .

Today, holding public events is an urgent task directly related to public safety, in which public safety entities are of particular importance. Subjects ensuring public safety are the Cabinet of Ministers of the Republic of Uzbekistan, the Ministry of Internal Affairs, the National Guard, the Ministry of

Emergency Situations, the State Security Service, the General Prosecutor's Office, the Ministry of Neighborhood and Family Support, the Ministry of Information Technologies and Communications Development, Health organized by the Ministry of Health, local state authorities.

Other state bodies and organizations, citizens' self-government bodies, non-governmental non-profit organizations and citizens are among the subjects involved in ensuring public safety [8].

In cooperation with the Ministry of Internal Affairs of the National Guard, the State Security Service, the Ministry of Emergency Situations, the Ministries of Health, and the prosecutor's office, the high efficiency of the National Guard units is ensured. Ensuring public order and public safety of citizens during public events is possible with effective coordination by independent subjects as a unique form of mutual cooperation carried out on the basis of equality and consent. One of the main directions of increasing the effectiveness of the mutual cooperation of the National Guard units and state authorities in the protection of public order during public events is to improve the quality of its information supply and communication between the interested bodies.

In accordance with the Decree of the President of the Republic of Uzbekistan dated March 26, 2021 No. PF-6196 "On measures to raise the activity of internal affairs bodies to a new level in terms of quality in the field of ensuring public safety and fighting crime" , as well as in order to further develop the system of ensuring public safety in our country and to define the prospective directions of the state policy in this field, the concept of "Ensuring public safety" was approved, and the public policy of the Ministry of Internal Affairs and the National Guard was adopted within the framework of the implementation of this decree. The following important documents, which play a key role in the legal regulation of the activities of maintaining order and ensuring safety, are the President of the Republic of Uzbekistan "On the introduction of a qualitatively new system of maintaining public order, crime prevention and combating crime in the city of Tashkent" gi PQ-3528 (2018 February 14), PQ-3786 "On additional measures to ensure public order in the city of Tashkent, increase the effectiveness of crime prevention and crime prevention" (June 19, 2018)) and PQ-4075 (December 24, 2018) decisions on "Additional measures to increase the effectiveness of public safety" to maintain public order of internal affairs bodies in the capital of our country, Tashkent. and effective organization of the activities of security units, the wide introduction of advanced work methods and modern technologies to their activities became important.

The concept of ensuring public security in the Republic of Uzbekistan defines public security as a state of protection of people and citizens, material and moral values of society from criminal and other illegal aggressions, social and inter-ethnic conflicts, as well as from natural and man-made emergency situations.

In accordance with the decree of the President of the Republic of Uzbekistan "On additional measures to ensure public order in the city of Tashkent, prevent crimes and increase the effectiveness of fighting crime", the Prosecutor General's Office, the Ministry of Internal Affairs, the National Guard, Ensuring public order in the city of Tashkent, which will be introduced as an experiment from July 1, 2018 to the Supreme Court of the Republic of Uzbekistan, the Youth Union of Uzbekistan, and the Republican Council for Coordination of the Activities of Citizens' Self-Government Bodies, The concept of "Safe capital" is included in the crime prevention and crime fighting system, which includes:

- organization of day and night three-shift patrol mode involving combat units of the internal affairs bodies, the National Guard, as well as representatives of the public, involving at least 70 percent of the forces to ensure public order. from 16:00 to 08:00;
- full implementation of service activities in the evening and at night by the employees of preventive, rapid-investigation units of internal affairs bodies and prosecutor's offices, administrative courts, advocacy, as well as forensic medical examination services;

- in order to prevent and put an end to violations in time, to ensure that the patrol post groups of internal affairs units, first of all, public order units, arrive at the scene of the incident or at the signal[9].

Thus, when thinking about the organization of the implementation of the decision, first of all, it means that we are talking about the integration-coordination and provisioning activities of the management system aimed at creating a set of conditions necessary for the practical implementation of the solution. Within this approach, organizing the execution of decisions is a stage of the management cycle, which is characterized by science and practical management activities and includes certain stages.

The professional activities of the National Guard employees, who are considered as the main force in ensuring public safety, are open, except for the activities of operative units. National Guard officers cooperate with civilians in the performance of operational and official duties. As stated in Article 9 of the Law on "National Guard", "The National Guard cooperates with state bodies and other organizations, civil society institutions and citizens in the fulfillment of the tasks assigned to it"[10]. It is no coincidence that the purpose of this mutual cooperation is to protect the lives, health, rights and freedoms of the citizens of the Republic of Uzbekistan, to fight against crime, to protect public order and property, and to ensure public safety.

In particular, the range of mutual cooperation between military personnel, employees and society of the National Guard is wide and diverse. It is carried out by National Guard military servicemen and employees in the performance of almost all professional tasks (detecting and solving crimes, putting an end to administrative violations, maintaining public order and public safety during public events, emergency situations, etc.). In addition, the National Guard serves to provide public safety during public events, and to develop civil initiatives in the field of crime prevention and control.

In recent decades, public events in our country have become one of the most common forms of expressing citizens' social activity and free time. Today, people have the opportunity to engage in social activity in political life, as well as to participate in various sports, cultural and entertainment events of a public nature, which is strengthened by our constitution [11].

Public events cover a wide range of participants. As a rule, they are organized and held in the form of socio-political, cultural, sports, entertainment and religious events. In this regard, it is necessary to take into account the specific characteristics of each type of incident when planning the tactics of law enforcement agencies to ensure law and order and public safety. Therefore, in a number of our laws, there are grounds for limiting the basic rights and freedoms of people and citizens during public events. These include the laws "On Internal Affairs Bodies"[12] and "On the National Guard"[10]. In addition, "On measures to further improve the procedure for organizing and conducting public events", as well as the Code of Administrative Responsibility of the Republic of Uzbekistan (as amended on April 16, 2021) and other provisions create necessary conditions for the activity of state bodies protecting the rights and freedoms of all citizens. Such laws are necessary in the public interest, but they also run the risk of abuse. This is because some of them have established the capacity to use force. The situation is aggravated by the fact that departmental regulatory documents often include additional "illegal" restrictions on human rights, specify the procedure for their application and specify them. Based on this, in order not to reduce the legislative potential and not to make it overly dependent on departmental documents, it is necessary to develop more carefully the cases of sending laws to subordinate legal documents.

Today, there are certain difficulties in relations between the National Guard, internal affairs bodies and citizens, especially during public events. The reason for this is that the reform of the National Guard system has not yet been completed, and we must acknowledge that economic, social, and political changes are being observed in society day by day. This is a factor in the unstable interaction of citizens with military servicemen and employees of the National Guard. The situation is aggravated by the negative reputation of internal affairs officers, which is firmly established in the

minds of citizens, and which they "earned" during the years of legal nihilism. Today, in the "postmodern" era, the mass media are not only advertising, but also promoting immoral and social behavior, multiplying negative videos with the participation of Internal Affairs and National Guard officers in large quantities, and thereby inciting citizens to law enforcement officers. is to form an extremist attitude. In this regard, it is necessary to prioritize spiritual and moral education and formation of motives for law-abiding behavior of citizens. Currently, one of the priorities of the leadership of the Ministry of Internal Affairs is to create a positive image of its employees (this situation is also observed with military personnel and employees of the National Guard) and increase the service prestige of the employees of the law enforcement agencies of the Republic of Uzbekistan.

The National Guard occupies a special place in the national system of maintaining public order and ensuring public safety of citizens, prevention and prevention of offenses and crimes.

Protection of public order and provision of public safety as a result of the implementation of various social norms that regulate various spheres of social life and differ in the nature and methods of influencing people's behavior (customs, moral standards, rules) is one of the main components of the emerging public order. The rule of law is regulated by legal norms adopted in the state in a prescribed manner. As a specific state of social relations regulated by law. The rule of law is characterized by the real condition of maintaining legality, protecting the rights and freedoms of citizens, etc.

It should be noted that the basis of maintaining public order and ensuring security during public events is the relationship that occurs in public places, that is, in places where public events are held.

Ensuring public safety during public events is considered as a system of social relations that is formed in accordance with legal, technical, construction and other norms when riots occur during the use of objects and objects that pose a danger to people and society as a whole.

In conclusion, it should be noted that the law aims to protect public order and ensure the safety of citizens during public events, and to provide conditions for the normal conduct of public events (concerts, public holidays, exhibitions). and is a system of voluntary social relations that is formed and developed mainly in public places based on compliance with normative and legal documents.

References:

1. Karimov I. A. From the Way of Creation Volume 4. -T: "Uzbekistan", 1996.
2. Shavkat Mirziyoyev's speech at the inauguration ceremony on November 16, 2021 <https://president.uz/uz/lists/view/4743>.
3. Constitution of the Republic of Uzbekistan, "Uzbekistan," Tashkent-2021-75b.
4. Article 33 of the Constitution of the Republic of Uzbekistan, "Uzbekistan. NMIU 2021.
5. Adopted and promulgated by United Nations General Assembly Directive 217 A (III), December 10, 1948.
6. International Covenant on Civil and Political Rights. General Assembly Resolution 2200 A (XXI) of December 16, 1966.
7. Convention for the Protection of Human Rights and Fundamental Freedoms Rome, 4 November 1950.
8. Concept of Public Security No. PF-27 of November 29, 2021.
9. Presidential Decree No. PQ-3786 Decree of 19 June 2018 "On additional measures to ensure public order in the city of Tashkent, to prevent crime and increase the effectiveness of the fight against crime"
10. (National database of legal documents, 19.11.2020, No. 20.03.647/1569)

11. (Collection of legal documents of the Republic of Uzbekistan, 2016, No. 38, Article 438; 2017, No. 24, Article 487, No. 37, Article 978, Laws National Database of Information, 24.05.2019, No. 19/03/542/3177, 2019, No. 2, Article 47, 05.09.2019, 19.03.563/3685-issue, 09.11.2019, no. 19/03/566/3734, 30.10 .2019, no. 19/03/575/3972; 25.12.2019, no. 19/03/597/4193-issue; National Legislative Information Database, 21.04.2021, no. 21.03/683/0375)
12. Republic of Uzbekistan. "On Organizaciones interniks delle" of September 16, 2016.