

**THE NECESSITY OF IMPROVING ADMINISTRATIVE MEASURES AGAINST
OFFENSES THREATENING PUBLIC SECURITY**

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Abstract

This article analyzes the current state of administrative measures against offenses that threaten public security, examining their effectiveness, systemic issues, and the necessity for improvement from a scientific perspective. It also reviews the experiences of countries such as Germany, Japan, and France, offering proposals for adapting these practices to the national legal mechanisms. In conclusion, the article presents legal, organizational, and technological solutions aimed at enhancing the relevant system.

Keywords: Public security, administrative liability, offense, prevention, internal affairs bodies, legal reform, experience of Germany, Japan, France, punitive measures.

Introduction

Ensuring public security is one of the key priorities that guarantees the stability of any democratic society, the peaceful and calm life of its citizens, as well as the effective functioning of state institutions. Achieving this goal requires coordinated efforts by law enforcement agencies, civil society institutions, and local self-government bodies, which play a decisive role in the process.

In recent years, a number of normative-legal documents aimed at improving the legal framework for ensuring public security have been adopted in the Republic of Uzbekistan. In particular, Presidential Decree No. PQ-1 dated January 3, 2025, introduced a fundamentally new set of mechanisms to ensure a systematic approach to addressing problems in the public security system, preventing offenses, and organizing legal preventive work more effectively. However, in practice, achieving a reduction in administrative offenses that threaten public security remains a challenge.

Administrative measures are applied to offenses under various articles of the Code of Administrative Responsibility (CAR) of the Republic of Uzbekistan, such as Article 183 (petty hooliganism), Article 187 (consumption of alcoholic beverages in public places), and others. However, analysis shows that these measures often amount to "one-time punishments" and lack long-term effectiveness. This indicates that the preventive function of administrative liability is not being fully realized.

At the current stage, it is necessary to further improve administrative measures against offenses that threaten public security in a more systematic, effective, and human rights-oriented manner. In this process, analyzing international experiences, revising national legal mechanisms, and

strengthening the capacity of personnel in the field of prevention should be considered as key priorities.

Offenses that threaten public security are actions that disrupt public order, endanger the peace of citizens, and negatively affect the rule of law in the state. The Code of Administrative Responsibility of the Republic of Uzbekistan contains specific provisions for such offenses.

In the Code of Administrative Responsibility (CAR) of the Republic of Uzbekistan, offenses that threaten public security include the following:

- Article 183 – Petty hooliganism;
- Article 184² – Illegal preparation, possession, import or distribution of materials of a religious nature;
- Article 184³ – Preparation, possession, or distribution of materials promoting national, racial, ethnic, or religious hatred;
- Article 184⁴ – Presence in public places in a manner that prevents identification of one's identity;
- Article 185 – Use of weapons in violation of established procedures;
- Article 185¹ – Illegal circulation of pyrotechnic devices;
- Article 185² – Carrying cold weapons or items that may be used as cold weapons;
- Article 185³ – Illegal circulation of items prohibited for civilian or service use in the Republic of Uzbekistan;
- Article 185⁴ – Illegal import, transfer, acquisition, possession, or use of unmanned aerial vehicles (drones);
- Article 186 – Production or sale of strong homemade alcoholic beverages by citizens;
- Article 186¹ – Illegal circulation of ethyl alcohol, alcoholic beverages, and tobacco products;
- Article 187 – Consumption of alcoholic beverages in public places
- Article 188 – Involving a minor in antisocial behavior;
- Article 188¹ – Involving a minor in the commission of an administrative offense;
- Article 188² – Allowing a minor to be present in entertainment (recreational) venues at night;
- Article 188³ – Begging;
- Article 189 – Production, import, distribution, advertisement, or display of pornographic materials;
- Article 189¹ – Production, import, distribution, advertisement, or display of materials promoting violence, cruelty, or abuse;
- Article 189² – Promotion of gender discrimination;
- Article 190 – Engaging in prostitution;
- Article 191 – Organizing or participating in gambling or other risk-based games;
- Article 192 – Violation of requirements for combating domestic noise;
- Article 192¹ – Violation of regulations regarding the conduct of weddings, family celebrations, gatherings, and ceremonies¹.

¹ Code of the Republic of Uzbekistan on Administrative Responsibility <https://www.lex.uz/docs/97664#97672>

In 2024, more than 600,000 administrative offense cases were reviewed by courts throughout Uzbekistan. More than half of the defendants were fined, while 88,000 individuals were subjected to administrative detention. Offenses such as insult and infliction of bodily harm are on the decline, whereas cases of petty hooliganism have increased. The number of individuals deported from Uzbekistan has risen fivefold within a year.

Specifically, in 2020, over 341,000 administrative offense cases involving 426,000 individuals were reviewed in Uzbekistan. By 2024, the number of such cases reviewed by the courts exceeded 613,000—nearly double. A total of 740,994 individuals were involved in these court proceedings².

Administrative offenses threatening public safety are often linked to social problems such as insufficient education and upbringing, unemployment, and other contributing factors. Additionally, the qualifications of law enforcement personnel, the effectiveness of preventive measures, and the degree of cooperation with the public play a crucial role in preventing such offenses.

Administrative measures applied against offenses that threaten public safety serve as important legal tools for preventing violations, raising citizens' legal awareness, and ensuring order and discipline in society. At present, these measures are implemented through various articles of the Code of Administrative Responsibility.

According to the current Code of Administrative Responsibility (CAR), the main types of administrative penalties applied for offenses related to public safety include:

1. *Article 25 – Fine;*
2. *Article 26 – Confiscation with the right to reclaim upon payment;*
3. *Article 27 – Confiscation;*
4. *Article 28 – Deprivation of a special right;*
5. *Article 28¹ – Compulsory involvement in paid public works;*
6. *Article 29 – Administrative detention;*
7. *Article 29¹ – Administrative expulsion of foreign citizens and stateless persons from the territory of the Republic of Uzbekistan.*³

These measures are applied to individuals who have committed administrative offenses with the aim of making them aware of their actions, strengthening their sense of responsibility, and encouraging them to refrain from such behavior in the future.

Analyses show that the current administrative measures often do not yield sufficient results in preventing offenses. For example, in 2024, the most frequently imposed administrative penalty by the courts was fines — with 379,000 cases resulting in a fine. This was followed by administrative detention in 88,047 cases, deprivation of a special right in 25,516 cases, confiscation of items in 42 cases, confiscation with the right to reclaim upon payment in 3 cases,

²<https://kun.uz/kr/news/2025/03/24/100-mingga-yaqinlashgan-mamuriy-qamoq-5-barobar-oshgan-deportatsiya-ozbekistonda-huquqbuzarliklar-statistikasi>

³ Code of the Republic of Uzbekistan on Administrative Responsibility <https://www.lex.uz/docs/97664#97672>

compulsory community service in 430 cases, and administrative expulsion (deportation) in 528 cases.⁴

These figures suggest that recidivism-preventing measures—especially types of punishment involving physical labor or community service (compulsory public works)—are still rarely applied. This indicates that humanistic and rehabilitative approaches are not widely implemented in judicial and investigative practice.

The high rate of repeated offenses, insufficiently organized preventive measures, problems in the full enforcement of penalties, and the lack of effective information exchange between law enforcement agencies and the mahalla (neighborhood) system are among the main shortcomings observed in practice.

Administrative sanctions should not be focused solely on punishment, but must also serve to prevent offenses, rehabilitate offenders, and involve the public in the cultivation of legal awareness. From this perspective, it is essential to revise the system of administrative penalties, introduce stricter liability measures for repeat offenses, apply flexible fine mechanisms for low-income groups, and strengthen preventive measures through public works and legal education. To improve the effectiveness of administrative measures in ensuring public safety, studying the experience of foreign countries is of great importance. Below, the practices of Germany, Japan, and France are analyzed.

In Germany, public safety is often ensured through community-based policing. This approach involves close cooperation between police officers and the public to solve problems together. For instance, in Bavaria, under the "Sicherheitswacht" (Security Watch) program, citizens voluntarily assist the police. After receiving special training, they participate in patrolling public areas, engaging with residents, and helping to prevent offenses.⁵

In Japan, the **Kōban system** plays an important role in ensuring public safety. Kōban are local police posts where officers are permanently stationed. Through this system, police officers maintain close contact with local residents, listen to their concerns, provide advice, and implement measures aimed at preventing offenses.⁶ This approach helps to increase public trust in the police.

In France, **administrative police (police administrative)** play an important role in ensuring public safety. The main task of the administrative police is to maintain public order, ensure security, and prevent offenses. This type of police focuses on preventive measures and operates in close cooperation with the public.⁷ In addition, **municipal police** also exist in France, who participate in maintaining public safety at the local level.

In combating offenses against public safety, the gap between the existing legal framework for administrative measures and their practical application often leads to systemic problems. The mechanisms established in legal documents do not function fully — prevention does not

⁴<https://kun.uz/kr/news/2025/03/24/100-mingga-yaqinlashgan-mamuriy-qamoq-5-barobar-oshgan-deportatsiya-ozbekistonda-huquqbuzarliklar-statistikasi>

⁵ "Freiwilliger Polizeidienst", Wikipedia. https://en.wikipedia.org/wiki/Freiwilliger_Polizeidienst

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⁷ Administrative police (France)", Wikipedia. [https://en.wikipedia.org/wiki/Administrative_police_\(France\)](https://en.wikipedia.org/wiki/Administrative_police_(France))ejournals.eu+2Википедия+2Википедия+2

effectively serve its preventive purpose, and punishment remains ineffective in deterring repeat offenses.

For certain offenses, the prescribed punitive measures (such as the amount of fines, preventive mechanisms, and the procedure for community service) are not proportionate to the level of threat posed by the offense. For example, according to Article 183 of the Administrative Liability Code (minor hooliganism), the fine is set at 3 to 5 basic calculation units (Article 183, ALC). For acts committed in public places in the presence of large crowds and considered an assault on public morality, such a penalty is deemed too lenient.⁸

In Uzbekistan, the full enforcement of administrative penalties after they are imposed is not guaranteed. In 2023, it was recorded that approximately 17% of individuals fined did not pay the penalty within the prescribed period.⁹ The reasons for this include weak information exchange between enforcement agencies, the ineffective local integration of the “E-Ijro” (Electronic Enforcement) platform, and the poorly organized procedures for compulsory fine collection.

There is a high turnover rate among staff in the preventive inspectors system. Inspectors assigned to neighborhoods are often relocated to other areas without serving for an extended period. This disrupts the consistency of preventive measures and undermines the establishment of trust-based communication with local residents. A shortage of inspectors also leads to increased workloads and hinders comprehensive coverage of emerging issues.

Data on administrative offenses are still stored in fragmented systems. There is no automated data exchange between the “E-Administration” system, the Ministry of Internal Affairs’ Integrated Database (IIO ABD), and the judicial decision databases. This creates significant barriers to analysis and identifying repeat offenders.

Improving the effectiveness of administrative measures against offenses threatening public safety is directly linked to deepening the state’s legal policy and maintaining a balance between human rights and public order. Currently, the weakness of existing mechanisms and systemic issues limit the preventive function of administrative measures. Therefore, the following directions are of pressing importance:

- It is necessary to differentiate types of administrative penalties based on the severity of the offense and the legal behavior of the individual. A staged approach should be introduced: warnings for minor first-time offenses, fines and/or community service for repeated or public offenses, and administrative arrest for systematic violators. In this regard, it is advisable to amend Article 183 of the Administrative Code to include provisions that take into account the individual’s history of offenses.
- Involving community activists, citizens’ assemblies, and NGOs in the effective implementation of administrative measures is appropriate. For example, establishing a public-based warning system for offenses, monitoring individuals prone to criminal behavior through “community advisory councils,” and promoting social responsibility are considered effective strategies.

⁸ Code of the Republic of Uzbekistan on Administrative Responsibility <https://www.lex.uz/docs/97664#97672>

⁹ Statistics of the Ministry of Internal Affairs and the Agency for the Execution of Court Documents, 4th quarter of 2023.

This practice has proven effective in countries like Canada and Japan, where community members play a significant role in preventing offenses.

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