



ENSURING THE PROTECTION OF HUMAN RIGHTS IN LAW ENFORCEMENT ACTIVITIES

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ABSTRACT

The article examines the organisational and legal foundations for ensuring human rights in the activities of law enforcement agencies. It analyses the issues of compliance with the rule of law in the application of state coercive measures affecting the personal liberty of citizens. Based on an analysis of the legislation of the Republic of Uzbekistan, the practice of law enforcement agencies, and the findings of the conducted research, the principal causes of violations of constitutional human rights are identified. The paper substantiates the priority areas for improving legal regulation, organisational arrangements, personnel policy, and supervisory mechanisms aimed at strengthening guarantees for the protection of human rights in the law enforcement sphere.

Democratic rights and freedoms are protected by the Constitution and laws [1].

Ensuring human rights and freedoms constitutes one of the fundamental principles underlying the functioning of a modern democratic state. In the Republic of Uzbekistan, the consistent improvement of the judicial and legal system and the activities of law enforcement agencies is regarded as one of the key priorities of state policy. The implementation of this objective is directly associated with strengthening the rule of law, enhancing the protection of citizens' constitutional rights, and improving legal mechanisms for preventing their violation. To this end, Uzbekistan is carrying out comprehensive judicial and legal reforms based on strategic policy documents aimed at the further development of institutions responsible for ensuring legality and public order [2].

In performing their statutory functions aimed at protecting individuals, society, and the State from unlawful encroachments, law enforcement agencies are authorised to apply state coercive measures prescribed by law that may restrict certain rights and freedoms of citizens. Such restrictions are permissible solely in the cases and according to the procedures expressly established by legislation, as they serve constitutionally significant objectives, including the protection of public security, the prevention of offences, the detection of crimes, and the administration of justice [3].

Among the most significant restrictive measures are administrative detention, criminal procedural detention, pre-trial detention, compulsory appearance, certain procedural coercive measures, and placement of an individual in a specialised medical institution where provided by law [4]. The application of these measures is permissible only in strict compliance with the requirements of legality, procedural safeguards, and judicial oversight. Observance of the statutory procedure therefore constitutes the most important guarantee of the protection of an individual's personal liberty.

Accordingly, an individual's right to personal liberty is not extinguished by the commission of an offence. On the contrary, the application of state coercive measures gives rise to an additional obligation on the part of the State to ensure strict observance of all legal guarantees prescribed by law. Consequently, every citizen is entitled to require officials of law enforcement agencies to comply strictly with legal requirements and to refrain from arbitrary interference with constitutional rights [5].

Contemporary social development, increasing demands for the quality of public administration, and the consistent strengthening of the constitutional principle of the supremacy of the Constitution necessitate the further improvement of the organisational and legal framework governing the activities of law enforcement agencies. Preventing violations of human rights in the course of law enforcement activities has become particularly important, since adherence to the rule of law largely determines public confidence in state institutions [2, 6].

Practical experience demonstrates that a considerable proportion of citizens' complaints concerns the observance of legality by law enforcement officials. The largest number of complaints relates to violations of the lawful treatment of citizens, the improper application of certain procedural coercive measures, and deficiencies in the conduct of procedural actions. These circumstances indicate the need for further improvement of both legal regulation and the organisational functioning of the relevant state authorities [6].

At the same time, ensuring personal liberty cannot be reduced solely to preventing unlawful detention or the unjustified application of preventive measures. The effective solution of this problem requires the implementation of an integrated system of legal, organisational, personnel-related, and supervisory measures aimed at preventing any violations of constitutional rights in the activities of law enforcement agencies. The development of such measures should be based on identifying the causes and conditions contributing to such violations, as well as on an objective assessment of the state of legality within the relevant sphere.

The conducted research, based on interviews with prosecutors, judges, and representatives of other law enforcement agencies of the Republic of Uzbekistan, made it possible to identify the most typical factors contributing to violations of citizens' right to personal liberty [6, 7].

The identified factors include:

- insufficient effectiveness of departmental regulatory provisions;
- excessive complexity of certain procedural requirements;
- excessive workload imposed on investigators;
- insufficient specialisation in the investigation of particular categories of criminal

cases;

- inadequate coordination between investigators and inquiry bodies;
- frequent interference with the procedural independence of investigators;
- assignment of duties to officers that fall outside their statutory competence;
- incomplete collection of evidence;
- errors in assessing the factual circumstances of criminal cases;
- insufficient professional competence of certain law enforcement officers;
- deficiencies in personnel management;
- an inadequate level of official discipline;
- insufficient effectiveness of departmental supervision over compliance with the rule

of law.

The analysis of the causes contributing to violations of citizens' right to personal liberty demonstrates the necessity for the systematic improvement of law enforcement activities. The most significant areas of reform include the enhancement of legal regulation, the improvement of organisational support, the development of human resources, and the strengthening of supervisory mechanisms aimed at ensuring compliance with the rule of law. These measures should be implemented as an integrated system, since each of them directly influences the effectiveness of safeguarding constitutional human rights.

The improvement of legal regulation should primarily focus on eliminating legal ambiguities, ensuring consistency in procedural legislation, and strengthening statutory guarantees protecting individuals against arbitrary restrictions of their constitutional rights. Particular attention should be devoted to improving legal mechanisms governing the application of coercive measures that restrict personal liberty.

Equally important is the enhancement of the organisational framework of law enforcement agencies. Rational distribution of official duties, reduction of excessive workloads, improvement of inter-agency coordination, and wider implementation of modern information technologies contribute significantly to increasing the efficiency of law enforcement while ensuring full respect for human rights.

A separate priority concerns the development of personnel policy. The quality of protection afforded to constitutional rights largely depends upon the professional competence, legal awareness, ethical standards, and integrity of law enforcement personnel. Consequently, the system of professional selection, training, advanced education, and continuous professional development should be further improved. Particular emphasis should be placed on strengthening practical skills relating to the lawful application of procedural coercive measures and adherence to international human rights standards.

An equally significant role belongs to the improvement of supervisory mechanisms. Effective departmental control, prosecutorial supervision, judicial review, parliamentary oversight, and public monitoring constitute interconnected elements of a unified system designed to ensure legality in law enforcement activities. Increasing the effectiveness of these mechanisms substantially reduces the risk of unlawful restrictions on constitutional rights and strengthens public confidence in state institutions.

The conducted research confirms that effective protection of human rights in law enforcement activities can be achieved only through a comprehensive approach that combines legislative improvements, enhanced organisational practices, professional personnel development, and effective supervision. The implementation of these measures will contribute

not only to strengthening constitutional guarantees of personal liberty but also to improving the overall effectiveness of the law enforcement system in the Republic of Uzbekistan

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7. This statement was made by the President of the Republic of Uzbekistan, Shavkat Mirziyoyev, during a special meeting on citizens' appeals held on 13 March 2026 (UZ24, 13 March 2026).
8. The empirical study included interviews with 89 prosecutors, judges, and representatives of other law enforcement agencies.