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**INSTITUTIONAL FOUNDATIONS OF CITIZEN PARTICIPATION IN
MAINTAINING PUBLIC ORDER: REGIONAL SPECIFICITIES OF THE POST-
SOVIET SPACE IN CENTRAL ASIA - A COMPARATIVE LEGAL STUDY OF
KAZAKH AND TAJIK MODELS**

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Abstract

This article examines the legal regulation of citizen participation in ensuring public safety in Kazakhstan and Tajikistan, analyzing their legislative systems, law enforcement practices, and potential for regional cooperation. Drawing on primary sources—including laws, reports from ministries of internal affairs, court decisions, and academic studies—the study identifies the strengths of both models: Kazakhstan’s preventive approach, which reduced street crime by 23.1% in 2024, and Tajikistan’s territorial adaptation, which decreased offenses by 16.8%. A comparative analysis highlights their differences—strict regulation versus flexibility—and their complementarity. Successful cases, such as joint exercises in 2022 that reduced cross-border incidents by 12%, underscore the value of coordination. The article proposes establishing a platform within the EAEC and CSTO frameworks for experience sharing to enhance regional security. It contributes to the global discourse on the role of citizens in maintaining order, offering a model for countries with traditions of collective responsibility.

Keywords: Citizen participation, public safety, legal regulation, Kazakhstan, Tajikistan, voluntary squads, crime prevention, regional cooperation, CIS, EAEC, CSTO.

Introduction

Over the past two decades, Kazakhstan and Tajikistan have made significant strides in modernizing their public safety systems, adapting traditions of collective responsibility to contemporary challenges. This process has bolstered regional stability and demonstrated how citizen participation can complement law enforcement efforts amid transnational threats and limited resources. As members of the CIS and CSTO, both nations develop unique models of citizen involvement in maintaining order, rooted in their historical and cultural contexts. Their experiences provide valuable material for analysis and practice-sharing on a global scale.

The relevance of this topic stems from the rise in transnational crime and the need for innovative security approaches. Kazakhstan’s prevention-focused model reduced street crime by 18.7% in regions with active voluntary squads [1], while Tajikistan cut minor offenses by 14.3% in border areas through territorial adaptation [2]. This article aims to explore the legal frameworks governing these systems, analyze their practices, and propose pathways for cooperation. The study relies on



laws, Ministry of Internal Affairs (MIA) reports, judicial decisions, and research, avoiding generalizations.

Theoretical Foundations of Citizen Participation in Public Safety

The concept of citizen participation in public safety is rooted in Central Asia's traditions of collective responsibility. Unlike liberal models where order is solely a state prerogative, Kazakhstan and Tajikistan adopt a partnership approach. This aligns with Hobbes' (1651/2010) ideas of the social contract and Ostrom's (1990) theories on community self-organization [3, 4]. Bayley and Shearing (2001) argue that citizen involvement reduces police workload and boosts trust, a claim supported by Kazakhstan's 12% workload reduction in major cities [5, 6].

International examples, such as Japan's *koban* system, which cut petty crime by 20% [7], offer parallels. However, Kazakhstan and Tajikistan go further by integrating technology and tradition. In Almaty, mobile apps accelerated response times by 17% [8], while in Tajikistan, *mahalla* committees reduced conflicts by 15% [9]. Kazakhstan relies on a strict legal framework (Law No. 590), whereas Tajikistan emphasizes flexibility (Decree No. 60), opening avenues for analysis.

Legal Framework in Kazakhstan

Kazakhstan has established a structured system of citizen participation in public safety, focused on prevention and police integration. The cornerstone is the Republic of Kazakhstan's Law No. 590 "On Citizen Participation in Ensuring Public Order" of July 9, 2004, which regulates voluntary people's squads [10]. This law provides a legal basis for citizens' voluntary efforts to counter unlawful acts, enhancing social activism, transparency, and the democratization of crime-fighting mechanisms, optimizing state coercion measures, and improving the effectiveness of police preventive work.

The legal regulation of citizen participation in Kazakhstan is shaped by both direct and indirect normative acts. Alongside specialized legislation, the Law "On Internal Affairs Bodies of the Republic of Kazakhstan" plays a key role, delegating to internal affairs bodies the authority to establish systematic interaction with civil society based on transparency to fulfill their mandates [11]. It also includes provisions for rewarding citizens active in maintaining order, fostering a foundation for socio-legal engagement.

A significant preventive mechanism is the Law No. 271-IV "On Prevention of Offenses" of April 29, 2010, which institutionalizes a participatory model between prevention entities and civilian actors [12]. Per its provisions, individuals and legal entities contribute through voluntary assistance to relevant institutions within their competencies, organizing legal education initiatives, and participating in consultative and expert bodies.

To refine the legal framework governing the interaction between internal affairs bodies and citizens in ensuring public order, the Order of the Minister of Internal Affairs No. 641 of November 27, 2004, was adopted. This sub-legislative act specifies the legislation on citizen participation by establishing structured Rules for Involving Citizens in Public Order Maintenance Activities. It details individual and collective forms of participation, including informational interaction (providing operationally significant data), preventive interaction (prophylactic activities), operational-search interaction (within legal limits), and assistance in mass events. This is critical for implementing legislative norms practically, defining specific mechanisms and algorithms to



enhance the efficacy of regulatory prescriptions in this sphere [11]. These legal mechanisms form a multi-tiered system of citizen engagement, combining preventive and educational functions. This positions Kazakhstan's legislation as an example of synthesizing state governance and civil society institutions in maintaining order.

According to MIA data, in 2023, street crime dropped by 18.7% in 15 regions with active squads, compared to a national average of 12.4% [1]. In 2024, robberies in Karaganda Oblast fell by 23.1%, and response times in Almaty decreased by 17% due to technology [8].

Judicial practice reinforces strict regulation. The Supreme Court's decision of June 22, 2022 (Case No. 3-112/2022) barred squads from independent detentions, aligning with Article 17 of the law [13]. The Almaty City Court's ruling of March 14, 2023 (Case No. 2-145/2023) confirmed their role as limited to informing [14]. The General Prosecutor's 2024 report noted a 14% rise in public trust in law enforcement [15]. In Shymkent, squads prevented a market brawl in 2024, reducing damage by 80% [8].

In Aktobe Oblast, thefts dropped by 19.5% in 2023 [1], while in Astana, squad footage aided in solving 18% of hooliganism cases in 2024 [8]. A 2024 KISI survey showed 67% urban and 72% rural support for squads [16]. Smagulova and Karimov (2023) note a 12% police workload reduction, and Abdrahmanov (2024) highlights the model's applicability within the EAEC [6, 17]. A pilot project in Pavlodar using tablets cut reporting time by 25% in 2024 [8]. Digitalization and training could strengthen the system, offering lessons for less formalized approaches, such as Tajikistan's.

Legal Framework in Tajikistan

The Republic of Tajikistan, preserving its historical traditions of collective responsibility, integrates them into a modern public safety system. Tailored to complex geography and a predominantly rural population, this model combines the Law No. 41 "On Militia" of May 17, 2004, with sub-legislative acts like Government Decree No. 60 of February 13, 2024, "On the Regulation of Voluntary Squads" [18, 19]. The legislation fosters a symbiosis of state governance and community initiatives, positioning citizens as active participants rather than passive observers in law enforcement.

The "On Militia" Law enshrines citizens' rights to assist the militia in maintaining order, emphasizing social cohesion as a security foundation [18]. A pivotal reform was the adoption of Law No. 1969 "On Citizen Participation in Ensuring Public Order" on June 22, 2023, which systematized previously fragmented norms [20]. Tajikistan's model prioritizes flexibility and territorial specificity. For instance, Decree No. 60 details squad formation tailored to local conditions [19].

Traditional institutions like the *mahalla* (local self-governance bodies) are central to legislative adaptation. Their interaction with voluntary squads, regulated by Decree No. 60, effectively resolves domestic disputes without police intervention [19]. In Sughd Oblast, 67% of 2023 land disputes were settled through squad-mediated mediation, reducing court workloads by 23% [2].

The model's effectiveness is evident in statistics: in 2024, regions with active squads saw a 14–18% drop in minor offenses, while mobile patrols in Dushanbe cut incident response times by 22% [21].



In the Gorno-Badakhshan Autonomous Region (GBAO, GBAO), locally formed squads enhance efficacy. The MIA's 2023 report recorded a 14.3% reduction in minor offenses in Sughd Oblast, rising to 16.8% in 2024 [2, 21]. In Dushanbe, market patrols reduced pickpocketing by 13% in 2024 [21].

Judicial practice balances flexibility and control. The Khujand Court's ruling of July 10, 2023 (Case No. 1-234/2023) restricted squads to informing, excluding detentions, per Article 12 of the law [22]. The 2024 Law and Order Committee report noted improved discipline [23]. In Rudaki District, squads averted a 2024 market conflict, cutting damage by 70% [21].

In GBAO, mediation reduced land disputes by 17% in 2023 [2], while in Khatlon Oblast, illegal border crossings fell by 11% in 2024 [21]. In Dushanbe, radio systems sped up responses by 20%, boosting case resolution by 15% in 2024 [21]. A 2024 Institute of Sociology survey showed 62% support in Dushanbe and 68% in GBAO [24]. Rahmonov (2022) attributes success to *mahalla* traditions [9].

A Khujand mediation experiment cut militia appeals by 22% in 2024 [21]. Adopting Kazakhstan's technology could enhance responsiveness, while Tajikistan's flexibility offers a model for geographically complex nations.

Comparative Analysis and Cooperation Prospects

Comparative analysis of legal frameworks for citizen participation in public safety in Kazakhstan and Tajikistan reveals their strengths and cooperative potential. Both nations pursue stability through state-society partnerships, distinct from Western models by emphasizing collective responsibility.

Kazakhstan's strict regulation (Law No. 590) cut street crime by 23.1% in Karaganda Oblast in 2024 [8], with Almaty's technology reducing response times by 17% [8]. Tajikistan's localized squads (Decree No. 60) lowered offenses by 16.8% in Sughd Oblast in 2024 [21], with Dushanbe's radio systems boosting resolution by 15% [21]. Kazakhstan excels in urban areas, Tajikistan in rural ones [25].

In Shymkent, squads prevented a brawl, cutting damage by 80% [8], while GBAO mediation reduced disputes by 17% [2]. Public support is 67% in Kazakhstan [16] and 62% in Tajikistan [24].

Kazakhstan's digital reporting (Pavlodar, -25% time) could benefit Tajikistan, while Khujand's mediation (-22% appeals) could aid Kazakhstan [8, 21]. Joint 2022 exercises cut cross-border incidents by 12% [26], and 2024 efforts reduced smuggling by 9% [21]. A CIS/EAEC/CSTO platform with seminars and training could standardize practices [27].

Conclusion

Kazakhstan and Tajikistan demonstrate that traditions of collective responsibility, reinforced by legal mechanisms, effectively address modern security challenges. Kazakhstan's model cut crime by 23.1% in Karaganda Oblast in 2024 [8], with 67% public support [16]. Tajikistan reduced offenses by 16.8% in Sughd Oblast [21], earning 62% approval [24]. Their successes highlight the value of state-society partnerships.

These approaches are vital amid transnational threats. The 2022 exercises cut incidents by 12% [26], and 2024 efforts reduced smuggling by 9% [21]. Smagulova and Karimov (2023) note a 20%



efficiency gain from integrating technology and local initiatives, rendering their experience globally significant [6].

Cooperation within the CIS, EAEC, and CSTO promises progress. Kazakhstan's digitalization (-25% reporting time in Pavlodar) and Tajikistan's mediation (-22% appeals in Khujand) could complement each other [8, 21]. Seminars and training, as proposed by Tajikistan's 2024 Law and Order Committee, would enhance squad skills, strengthening regional security [23].

Differences between the nations are not barriers but resources for mutual learning. Their systems balance governance and initiative, offering a model for Central Asia and beyond.

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