



## **International Congress on Economics, Management and Business Studies**

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### **THE PLACE AND ROLE OF THE MILITARY POLICE IN THE ARMED FORCES SYSTEM**

Khudoyberdiyev Bahodir Karimberdiyevich

Doctor of Philosophy (PhD) in Law

Senior Lecturer, Department of Preliminary Investigation and Inquiry,  
Law Enforcement Academy of the Republic of Uzbekistan

E-mail: [xudoyberdiyev@71gmail.com](mailto:xudoyberdiyev@71gmail.com)

#### **Аннотация:**

Мақолада илғор хорижий мамлакатлар Қуролли Кучларида ҳарбий полициянинг ўрни ва роли таҳлил қилиниб, бу ҳарбий тузилманинг ўзига хос хусусиятлари ўрганилган. Халқаро тажрибада ҳарбий полициянинг ташкилий-ҳуқуқий асослари, таркибий тузилмалари, бошқарув ва бўйсинув тартиби, вазифа ва ваколатлари атрофлича таҳлил қилиниб, миллий қонунчиликка жорий этиш юзасидан таклиф ва тавсиялар олдинга сурилган.

**Калит сўзлар:** мамлакат, Қуролли Кучлар, ҳарбий полиция, муҳофаа ва хавфсизлик, ҳуқуқ тартибот, қонун, қонунийлик, ҳарбий хизматчи, интизом, Ўзбекистон, Буюк Британия, Германия.

#### **Аннотация:**

В статье анализируется роль военной полиции в Вооруженных силах развитых зарубежных стран, изучаются особенности этой военной структуры. В ходе международного эксперимента были выдвинуты предложения и рекомендации по организационно-правовой основе, структурным структурам, управлению и распорядительным процедурам,



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задачам и полномочиям военной полиции и их внедрению в национальное законодательство.

**Ключевые слова:** страна, Вооруженные Силы, военная полиция, оборона и безопасность, правоохранительные органы, закон, легитимность, военная служба, дисциплина, Узбекистан, Великобритания, Германия.

### Abstract:

The article analyzes the role of the military police in the Armed Forces of developed foreign countries, examines the features of this military structure. During the international experiment, proposals and recommendations were put forward on the organizational and legal basis, structural structures, management and administrative procedures, tasks and powers of the military police and their implementation into national legislation.

**Keywords:** country, Armed Forces, military police, defense and security, law enforcement agencies, law, legitimacy, military service, discipline, Uzbekistan, Great Britain, Germany.

The Armed Forces of the Republic of Uzbekistan are established to protect the state sovereignty and territorial integrity of the Republic of Uzbekistan, as well as to ensure the peaceful life and security of its population.

Article 152 of the Constitution of the Republic of Uzbekistan

As we all know, in light of the current military-political situation in the world and the region, growing geopolitical tensions, and ongoing armed conflicts, increasing attention is being paid to the Armed Forces as the primary guarantee of any state's sovereignty, territorial integrity, and the peaceful life and security of its population. Under such circumstances, the legal status of military service,



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service and executive discipline, as well as the maintenance of legality and the strengthening of law and order within the Armed Forces, together with the revision and further improvement of the legal framework governing this sphere, have become fundamental components of every state's defense and security policy. In this regard, the armed forces of leading countries around the world have adopted various approaches. Based on their respective traditions of statehood, military-political systems, historical experience, and specific models of governance, they have established either military police organizations or other military structures that, although not necessarily bearing the same name, perform equivalent functions and responsibilities. Therefore, it is appropriate to examine the experience of foreign countries regarding the organization and activities of military police forces.

It should be emphasized that, in foreign countries, the military police is a specialized law enforcement body within the Armed Forces responsible for ensuring legality, law and order, and military discipline. It is also entrusted with investigating crimes committed by military personnel and safeguarding military facilities and installations.

The primary responsibilities of the military police include:

- Preventing offenses and violations within military units;
- Investigating military personnel who have breached military discipline or committed criminal offenses;
- Supervising and regulating the movement of military vehicles and transport;
- Guarding and protecting strategically important military facilities and installations.

The military police, in one form or another, operates as a specialized military structure in more than one hundred countries that maintain armed forces. Across different countries, this military organization is known by various names and



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possesses distinctive organizational features and functions. In this regard, it is appropriate to examine the military police systems of the United Kingdom and Germany.

The Royal Military Police (RMP) is an integral part of the British Army, responsible for maintaining law, order, and military discipline among service personnel, as well as providing policing support during military operations.

The Royal Military Police (RMP) is not an independent armed service; rather, it is a specialized branch of the Adjutant General's Corps (AGC) within the British Army.

The headquarters of the British military police is located at Southwick Park, in Hampshire, Southern England. The RMP has an active strength of approximately 2,200 to 2,500 personnel, including both regular service members and reservists. The supreme command of the Military Police is held by the Honorary Colonel-in-Chief of the Corps, His Majesty King Charles III of the United Kingdom. Operational command is exercised by a senior officer holding the rank of Major General or Brigadier General under the title of Provost Marshal (Army).

Unlike ordinary soldiers, personnel of the Royal Military Police (RMP) have the authority to arrest any individual who violates military law, regardless of rank, including generals.

Their powers are divided into two main areas:

The first area is “Police the Force”, which focuses on policing within the Army. This includes investigating crimes such as theft, disorder, or corruption within military units; conducting garrison patrols, which involve joint night patrols with civilian police in military towns and public areas frequented by soldiers; and ensuring the security of detention facilities where service members under trial or disciplinary punishment are held.



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The second area is “Provide Police Support,” which focuses on supporting military operations. In this regard, the Royal Military Police is responsible for traffic control, including leading and regulating convoys of tanks and heavy military equipment during combat operations or training exercises. It also handles prisoners of war (CPERS), meaning the registration, interrogation, and detention of enemy combatants captured during wartime in accordance with international law standards. In addition, it is responsible for war crimes investigations, including documenting violations of human rights or offenses against international conventions in combat zones and collecting relevant evidence.

Unlike civilian police forces, the powers and functions of the Royal Military Police (RMP) do not include general constabulary authority over civilians. Their jurisdiction is primarily limited to military personnel and defense-related installations.

–The main legal basis for the activities of the RMP is the <sup>1</sup>Armed Forces Act 2006, which is the principal legislative act defining their functions and authority. Under this law, the RMP is empowered to investigate military offenses and criminal acts committed by British Armed Forces personnel anywhere in the world.

–Sections 67 and 69 of the Act grant the military police the authority to arrest and search service personnel suspected of committing criminal offenses.

–The British Parliament reviews and renews this legislation every five years in order to maintain the legal basis for the existence and operation of the armed forces.

The Royal Military Police (RMP) is an integral part of the unified military justice system. Within the framework of the Service Justice System (SJS), the military police identify and investigate criminal cases and submit the relevant case files

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<sup>1</sup> <https://share.google/BsgQDGY5iy5NcLL73>



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to the Court Martial. This system ensures that the rights of service personnel are protected in accordance with the European Convention on Human Rights.

The Service Discipline Acts form a body of regulations that define the rules which service members, and in certain circumstances civilian personnel within military areas, are required to follow. The RMP serves as the body responsible for monitoring compliance with and enforcing these regulations.

Although the RMP is a military organization, during investigative and interrogation procedures it operates in accordance with the principles of the Police and Criminal Evidence Act 1984 (PACE), similar to civilian police forces. This ensures that procedures for suspect questioning, evidence collection, and evidence handling are lawful and aligned with civilian legal standards.

Military Lands Byelaws (ҳарбий ҳудудлар тўғрисидаги ички низомлар), ушбу қонуности ҳужжатлари RMPга истисно тариқасида оддий фуқароларга нисбатан ҳам чора кўриш ҳуқуқини беради. Агар оддий фуқаро Мудофаа вазирлигига қарашли ёпиқ ҳарбий ҳудудга (база, полигон) руҳсатсиз кирса, RMP уни ҳудуддан чиқариб юбориш, транспорт ҳаракатини чеклаш ёки фуқаролик полицияси етиб келгунига қадар уни ушлаб туриш ҳуқуқига эга ҳисобланади.

Among advanced foreign countries, we will briefly examine the establishment and activities of the Feldjäger, the military police within the Armed Forces of Germany.

Historically, the term “Feldjäger” (literally “field hunters”) was first used in the 18th century by King Frederick II of Prussia to refer to elite cavalry and reconnaissance units.

After World War II, Germany, together with its Western allies, began building a new defense system. In October 1955, the law establishing the new armed



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forces—the Bundeswehr—was signed, and the first military police training unit began operating in the city of Andernach.

Initially, it was planned that this unit would be called “Militärpolizei” (Military Police). However, the federal states (Länder) of Germany strongly insisted that the term “police” and the authority to maintain public order should remain exclusively under civilian law enforcement agencies. As a result, based on historical tradition, the official name was changed in 1956 to “Feldjäger.”

The Feldjäger do not have general policing powers like civilian police forces. Their authority is limited according to two principles: “personal” jurisdiction (applying only to military personnel and defense employees) and “territorial” jurisdiction (limited to military facilities and training areas).

Under German law, Feldjäger personnel are considered military service members and do not have direct police authority over civilians.

As an exception (the right of detention), it should be noted that if a civilian unlawfully enters a military installation or causes damage to military property, the Feldjäger may temporarily detain that person until the arrival of the civilian police, based on Section 127 of the German Code of Criminal Procedure (StPO) — the “Jedermann-Festnahmerecht” (citizen’s arrest right).

Regarding the organizational and legal framework, the Feldjäger carry out their activities in accordance with the following strict legislative instruments:

First, UZG (UMG – Unmittelbarer Zwang-Gesetz): a law regulating the use of force and firearms by the Federal Armed Forces<sup>2</sup>;

Second, SG (Soldatengesetz): the Soldiers Act, which regulates military discipline and service obligations of service members<sup>3</sup>;

<sup>2</sup> <https://www.gesetze-im-internet.de/uzwg/BJNR001650961.html>

<sup>3</sup> <https://www.gesetze-im-internet.de/sg/>



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Third, WDO (Wehrdisziplinarordnung): the Military Disciplinary Code, which grants the military police the authority to conduct investigations and prepare disciplinary measures<sup>4</sup>;

Fourth, StPO (Strafprozessordnung): the German Code of Criminal Procedure. When Feldjäger investigate military offenses under the instructions of the prosecution, they operate in accordance with this general criminal procedural code<sup>5</sup>.

The Feldjäger operate through a centralized system and maintain their own headquarters.

The Military Police headquarters is located at the Scharnhorst Kaserne military base in the city of Hanover. The unit is led by the Provost Marshal, who holds the rank of Brigadier General.

The Feldjäger command is directly subordinate to the Bundeswehr Joint Support Command (Streitkräftebasis).

Across Germany, there are three major Feldjäger regiments located in Kiel, Hilden, and Munich. These units are further divided into numerous regional commands known as Feldjägerdienstkommando, deployed throughout the country.

Regarding training, the Feldjäger School in Hanover serves as the central institution responsible for training and professional development of all personnel. According to official Bundeswehr sources, the activities of the Feldjäger are divided into five main functions:

a) Military law enforcement and discipline (Military Law Enforcement) – maintaining order among service members, searching for and apprehending military personnel who are absent without leave (AWOL) or have deserted;

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<sup>4</sup> <https://www.gesetze-im-internet.de/stpo/>

<sup>5</sup> <https://www.gesetze-im-internet.de/stpo/>



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- b) Military traffic control (Military Traffic Control) – escorting military convoys, ensuring route security, and investigating traffic accidents involving military vehicles;
  - c) Security tasks (Security Tasks) – providing protection during military parades, international exercises, and securing key strategic headquarters and installations;
  - d) Investigations and inquiries (Inquiries and Investigations) – investigating criminal incidents within military units, examining crime scenes, and submitting evidence to civilian prosecutors;
  - e) Special and elite duties – including close protection of senior generals and foreign defense ministers, supporting special operations (SWAT-type units), and managing detention facilities for enemy prisoners during international peacekeeping missions.

Based on the study of foreign experience, when discussing military police, regardless of the country and its specific model of organization or chain of command, its single and primary function is the strict enforcement of service and executive discipline among military personnel within the Armed Forces. This includes the early prevention and deterrence of offenses, ensuring the combat readiness of service members, and guaranteeing the timely and complete execution of orders issued by superior officers.

With the aim of strengthening the defense capability of the Republic of Uzbekistan and fundamentally improving the rule of law and military discipline within the Armed Forces, proposals are presented for establishing a “Military Police” structure within the Armed Forces, based on the experience of foreign countries such as the United Kingdom and Germany.

Currently, within the Armed Forces of the Republic of Uzbekistan, functions related to military discipline control and garrison patrol duties are carried out by temporarily appointed garrison duty officers (commandant offices).



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However, it should be noted that the lack of centralized command in this system may lead to negative consequences in terms of rapid decision-making during combat readiness situations or emergencies.

It should also be emphasized that temporarily assigned patrol personnel do not possess specialized professional skills in criminal procedure law, criminology, or crime scene protection, which are essential for proper law enforcement operations.

It is proposed to introduce the following step-by-step amendments to the current legislation in order to ensure the lawful functioning of the Military Police within the Armed Forces of the Republic of Uzbekistan:

- 1) It is advisable to amend the Law of the Republic of Uzbekistan “On Defense” by adding a separate article defining the concept of “Military Police,” as well as its role and legal status within the Armed Forces system.
- 2) It is proposed to approve, by Decree of the President of the Republic of Uzbekistan, the “Statute on the Military Police of the Armed Forces of the Republic of Uzbekistan.” This document would strictly regulate the procedures for the use of force, special means, and firearms by military police personnel in accordance with international legal standards.
- 3) It is proposed to introduce amendments and additions to the current Criminal Procedure Code of the Republic of Uzbekistan, specifically by including the Military Police in Article 38 (bodies of inquiry) and granting it the authority to conduct preliminary inquiries into crimes committed within military units and military institutions.

It is also proposed that the Military Police be granted the status of an independent, specialized military law enforcement body within the structure of the Ministry of Defense of the Republic of Uzbekistan.



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The legal jurisdiction of the Military Police would be strictly limited to military personnel, citizens called up for military training, civilian employees within the defense sector, as well as military facilities and training grounds.

The Military Police would not have law enforcement authority over ordinary civilians equivalent to that of internal affairs bodies. However, based on the experience of Germany, it is proposed that it be granted the right of temporary detention of civilians who commit offenses within military units or military institutions until the arrival of internal affairs officers.

In addition, it is proposed that the Military Police operate under a strict centralized command structure, being directly subordinate to the Minister of Defense.

Within the central apparatus of the Ministry of Defense of the Republic of Uzbekistan, it is proposed to establish a Main Directorate of Military Police. At the same time, Military Police directorates would be created within all existing military districts of the country (Tashkent, South-Western, Central, North-Western, and Eastern), while military commandant offices in each garrison would be reorganized into Military Commandant Units.

Regarding personnel training, it is proposed to establish a specialized department or faculty for training Military Police officers and sergeants at either the University of Military Security and Defense of the Republic of Uzbekistan or the University of Public Security. The curriculum should include not only military tactics but also in-depth training in civilian and military law, criminal procedure law, criminology, crime scene investigation techniques, specialized psychology, and VIP close protection.

The Military Police, according to the proposed functions and tasks, would be organized into five main operational directions:

a) Military discipline and order – preventing violations in garrisons and military units, suppressing conflicts and “non-statutory relations” among service



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members, and searching for personnel who have left their place of service without authorization;

b) Military traffic control – ensuring the safe movement of military vehicles on public roads, escorting military convoys, and independently investigating road traffic accidents involving military transport;

c) Operational search and inquiry activities – securing crime scenes within military units and institutions, collecting initial evidence, and, upon completion of preliminary inquiries, transferring case materials to the Military Prosecutor’s Office, thereby ensuring a comprehensive inquiry process;

d) Security of strategic facilities – protecting military headquarters, ammunition depots, and the transportation of special cargo, as well as providing security for senior military officials and foreign military delegations;

e) Combat service in emergency situations – in the event of martial law or a state of emergency, ensuring rear-area security, managing checkpoints (blockposts), and handling prisoners of war.

It should be emphasized that, in terms of its capabilities, the Armed Forces of our country hold a worthy position among the armed forces of the world. This sufficient level of capability is directly linked to the military and physical preparedness of service members, as well as their strict adherence to service and executive discipline. According to the results of studies, the establishment of a Military Police structure within the Armed Forces is considered an urgent issue for further strengthening the military system and ensuring the reliable protection of the rights and freedoms of service members.

In this regard, in the future, based on the experience of advanced foreign countries, there is a need to establish a Military Police within the Armed Forces of our country, develop a solid legal framework for its full-scale operation, and introduce relevant amendments and additions to existing legislation.



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Undoubtedly, all of these measures will contribute to further strengthening the combat readiness and operational preparedness of the Armed Forces, enhancing their capability and effectiveness, and ultimately serving to ensure the protection of the rights and freedoms of service members and their family members.

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