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Features of criminal proceedings regarding the interaction between probation services and national security agencies

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Article's History:**Abstract**

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The relevance of the study was determined by the need to ensure a balance between the resocialisation of offenders and the objectives of countering threats to state security, in the context of increasing risks of radicalisation in the Kyrgyz Republic. The aim of the article was a comprehensive study of the mechanisms of interaction between probation services and national security agencies in the criminal proceedings of Kyrgyzstan. The methodology was based on a combination of comparative legal, structural-functional, and systems approaches, which allowed for a comparison of national legislation with international standards and the identification of features of practical application. The analysis established that the legal foundations of the probation institution created the necessary prerequisites for its development; however, issues regarding the procedures for information exchange with security agencies remained unresolved. It was found that at the pre-trial stage, probation reports played a key role, while the activities of security agencies focused on preventive monitoring. During the execution of sentences, emphasis was placed on individual resocialisation plans and monitoring of digital activity. At the post-penitentiary stage, preventive measures and social support were of central importance. An analysis of procedural risks demonstrated that the most significant threats were asymmetric access to information, duplication of restrictive measures, and the negative impact of excessive control on the process of social adaptation. The effectiveness of interaction was determined by the level of standardisation of information exchange procedures, the development of professional competencies among probation personnel, and the adaptation of international standards into national legislation. This provided the study with practical significance in the form of recommendations for improving cooperation, applicable for use by law enforcement agencies, the academic community, and policymakers in the field of criminal proceedings

Keywords: procedural risks; standardisation; monitoring; resocialisation programmes; individual plans; social support; digital activity

Introduction

The necessity of studying the interaction between probation services and national security agencies is driven by the need to reconcile the humanising function of criminal proceedings with the objectives of countering contemporary threats, including extremism, terrorism, and recidivist crime. A key problem identified is the absence of unified standards for information exchange and clear procedural regulation, which creates risks of asymmetric access to data and excessive restriction of individual rights. This complicates the achievement of a balance between the

resocialisation of offenders and the safeguarding of state security, while also reducing the effectiveness of coordination between institutions, necessitating a systemic scientific approach.

In the field of comparative analysis of penitentiary systems, G. Kuldysheva *et al.* (2025) established that the introduction of probation in Central Asian countries was influenced by European models, leading to a reduction in recidivism and prison populations. The authors emphasised that the effectiveness of reforms depended on the system's ability to combine supervisory and

rehabilitative tools. These findings are consistent with the conclusions of J. Shadymanova *et al.* (2023), who showed that in Kyrgyzstan's penitentiary institutions, the integration of social and medical services created conditions for maintaining prisoners' health and supporting their future reintegration into society. The study demonstrated that the medical-social component is crucial for the development of a modern probation system.

In the context of comparative legal systems, U. Asghar *et al.* (2022) examined Pakistan's criminal justice system and showed that the absence of unified coordination between courts, police, and probation services led to inefficiencies in control mechanisms. The author concluded that the lack of coherence created additional recidivism risks. Another dimension of interagency cooperation was explored by N.P. Jones *et al.* (2023), who, through social network analysis, demonstrated that in the USA the effectiveness of law enforcement increased due to horizontal connections between various agencies. The analysis confirmed that cooperation among multiple institutions was key to achieving stable results. The broader significance of probation in the criminal justice system was highlighted by R. Harris (2022), who demonstrated that probation services remain a critical element in reducing recidivism and optimising the burden on the prison system, although their potential depends on the stability of the legal framework and professional training of personnel.

Research on terrorist threats in Central Asia was presented by Z. Nauatov *et al.* (2024), who showed that the effectiveness of investigations in Kyrgyzstan and Kazakhstan depended on the proper organisation of prosecutorial work and the ability to apply comprehensive methodological approaches. The results emphasised that only the integration of various practices ensured objectivity in countering terrorism. Another aspect of security processes was highlighted by Z. Štímac and I. Aslanova (2021), who examined the

relationship between the state and religious institutions in Kyrgyzstan. The authors demonstrated that the securitisation of religion shaped the dynamics of state security policy and created new challenges for balancing freedom of religion with the control of radicalisation.

Despite the wide range of approaches, several gaps were observed in the analysed studies. Most works focused on individual aspects-medical-social conditions in the penitentiary system, international cooperation, or technological risks-while the comprehensive interaction between probation and national security agencies in criminal proceedings remained insufficiently explored. No holistic model was proposed that would combine the socio-legal function of probation with preventive measures of security structures. Systematic studies on mechanisms for information exchange between institutions and their impact on procedural safeguards were also lacking. This gap underlined the need for an in-depth study within the framework of the present research.

The aim of the study was a comprehensive analysis of the interaction between probation services and national security agencies in the criminal proceedings of the Kyrgyz Republic. To achieve this aim, the following objectives were set: to examine the legal foundations for the functioning of probation services and national security agencies within criminal proceedings; to analyse the mechanisms of interaction between these institutions at different stages of criminal proceedings; to identify key procedural challenges and risks arising from their cooperation.

Materials and Methods

The type of research conducted was defined as a comprehensive legal comparison with elements of socio-legal analysis. The Kyrgyz Republic was chosen as the primary object of study due to its geopolitical position in Central Asia, the high relevance of security issues, and the necessity

of identifying effective mechanisms for the resocialisation of offenders. The combination of the problem of radicalisation and the development of probation institutions created unique conditions for analysing the transformation processes within the criminal justice system. The chronological scope covered the years 2017-2024, allowing for the tracing of the evolution of legal regulation and practical approaches in the interaction between probation services and security agencies, as well as assessing the relevance of legislative changes in the context of their compliance with international standards, in particular the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) (1990) and the Council of Europe Recommendations on Probation and Alternative Sanctions (2021).

Data collection was carried out through the analysis of normative legal acts of the Kyrgyz Republic, including the foundational Criminal Enforcement Code of the Kyrgyz Republic (2017), which establishes the procedure for the execution of punishments and the delineation of the competencies of participants in criminal proceedings, as well as the Law of the Kyrgyz Republic No. 34 "On Probation" (2017) and the Law of the Kyrgyz Republic No. 57 "On National Security Agencies" (2022). For an in-depth study, the provisions of the Criminal Code of the Kyrgyz Republic (2021) and the Criminal Procedure Code of the Kyrgyz Republic (2021) were also analysed. Reports from international human rights organisations, including Human Rights Watch (2023) and Amnesty International (2023), were additionally used. To ensure a comparative approach, international materials were consulted, including the Council of Europe Handbook for Prison and Probation Services Regarding Radicalisation and Violent Extremism (2010), and the UN guidance (Klaus, 1998). Additionally, data from the National Statistical Committee of the Kyrgyz Republic (2026) was used to analyse crime trends,

including repeat offences and security threats, providing statistical context for evaluating the effectiveness of probation services and national security agencies in the criminal justice system.

The method of comparative legal analysis was applied to juxtapose the provisions of the national legislation of the Kyrgyz Republic with international standards in the field of probation and criminal justice. The aim of this method was to assess the degree of harmonisation between national legal norms and widely accepted international standards governing the use of non-custodial measures. The structural-functional method was employed to investigate the roles of probation services and national security agencies at different stages of criminal proceedings. It enabled the identification of key functions of both institutions and the analysis of how probation resocialisation mechanisms interact with preventive security tasks. This facilitated an understanding of the complementary nature of the institutions and how the balance between social and security objectives affects the overall efficiency of the criminal justice process.

Content analysis was applied to the study of international reports and analytical materials concerning probation and security issues, including the Organisation for Economic Co-operation and Development (OECD) (2024) report on best practices for criminal justice reform and the United Nations Office on Drugs and Crime (UNODC) (2023) guidelines on effective probation practices and risk assessment in counterterrorism efforts. Its use allowed for the systematisation of empirical data and the identification of principal trends characterising the current state of probation development in the region. Furthermore, content analysis helped to determine which aspects of institutional interaction generate the most scholarly debate, particularly regarding the protection of human rights and the transparency of information-sharing procedures.

Results

Legal and regulatory foundations of the functioning of probation and national security agencies in the criminal justice system. The analysis of official crime statistics for the Kyrgyz Republic reveals persistent patterns in general criminality that are relevant to probation practice. According to the open data on criminality compiled by the National Statistical Committee of the Kyrgyz Republic (2026), the number of individuals identified as having committed a crime at the national level remained high from 2020 to 2024 (24,320 in 2020; 21,429 in 2023; 20,267 in 2024). Data disaggregated by type of offence show notable figures in categories such as theft and robbery, indicating that a significant portion of criminal cases involve property and interpersonal offences, which are key areas of probation supervision. These trends suggest enduring challenges in reducing recidivism and addressing socio-economic factors associated with criminal conduct.

Security-related threats continue to be a major issue, in addition to overall crime rates. Although there aren't many large-scale terrorist acts in Kyrgyzstan, there are known security concerns related to probation and rehabilitation, such as external radicalisation and the migration of residents to conflict areas outside. About 850 Kyrgyz citizens have joined extremist groups in foreign conflict zones (U.S. Department of State, n.d.). This highlights the necessity for inter-agency coordination in handling individuals who may return with increased security threats. Concerns over security enforcement tactics are been voiced by human rights organisations: According to Human Rights Watch (2023), excessive surveillance and procedural abuses have occasionally resulted from security agencies' extensive powers in counter-extremism situations, which can affect the impartiality and transparency of criminal justice procedures.

Amnesty International (2023) emphasises the significance of striking a balance between public safety and individual rights, pointing out that if sufficient safeguards are not in place, broad interpretations of security threats may result in human rights violations. These worries are in line with the statistical proof of ongoing criminal activity and highlight the necessity of precise legal frameworks controlling the sharing of information between national security agencies and probation services. When taken as a whole, the statistical and analytical sources indicate the need for strong inter-institutional procedures to control recidivism, aid in rehabilitation, and handle security threats in accordance with human rights norms.

The exposition of the legal and regulatory foundations of probation functioning in the Kyrgyz Republic requires a thorough analysis of the provisions of the specialised law that defines its legal nature, objectives, and practical instruments for implementation. For a systematic presentation of the material, it is appropriate to highlight the key elements forming the basis of probation functioning within the criminal justice system. This approach allows for the organisation of the legal provisions and provides a framework for further scholarly consideration in the context of interaction with other institutions. Importantly, the structure of the normative prescriptions delineates both the resocialisation and control aspects of probation activity, which is significant for the justice system as a whole (Moffa *et al.*, 2021).

In this context, the provisions summarised of the Law of the Kyrgyz Republic No. 34 "On Probation" (2017) reflect the relationship between the legislatively defined objectives, the practical mechanisms for their implementation, and the expected outcomes. The law's adoption marked a turning point in the country's criminal justice system's evolution, moving away from a primarily punitive approach to criminal enforcement

and toward a framework focused on community-based monitoring and resocialisation. Before this law was passed, Kyrgyzstan's criminal justice system mostly depended on custodial measures that were carried over from previous penal traditions, where the main reaction to crime was incarceration. Institutions in charge of social rehabilitation were poorly incorporated into criminal justice processes, and community supervision mechanisms were dispersed and lacked a cohesive legal foundation. As a result, the system continued to struggle with issues including congestion in prisons, high recidivism rates, and little possibilities for offenders to reintegrate into society. These structural flaws paved the way for legislative changes that strengthened the judicial system's rehabilitative strategies and introduced substitute penalties.

The Law of the Kyrgyz Republic No. 34 "On Probation" (2017) brought national laws into compliance with international norms governing non-custodial measures, such as the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) (1990), and established probation as a separate component of the criminal justice system. The combination of preventative, rehabilitative, and supervisory tasks into a single institutional structure is what makes it unique. Individual resocialisation programs, probation reports for courts, and organised supervision of criminals serving non-custodial terms were among the procedures adopted by the legislation. These tools were created to allow courts to prioritise social reintegration and individualise sentencing while still providing the required oversight. Additionally, the Kyrgyz model created a particular institutional arrangement that combines the goals of resocialisation with more general public security considerations through interactions between probation services and other state entities, such as law enforcement and security agencies (UNODC, 2023). In this

sense, the law's approval signalled the creation of a hybrid criminal justice model that concurrently pursues humanitarian objectives and the defence of society and state security, in addition to establishing probation as a legal institution.

In the context of studying the interaction between probation and national security agencies, particular importance was given to a comparative generalisation of their tasks and functions. Such systematisation allowed for the identification of the specific roles of each institution depending on the stage of the criminal process and the tracing of their legal regulatory mechanisms. A crucial aspect remained the definition of control measures applied by different agencies to achieve both resocialisation and preventive objectives.

The legal research showed that the Kyrgyz Republic's normative framework clearly distinguishes the roles of national security agencies and probation services in the criminal justice system. The Law of the Kyrgyz Republic No. 34 "On Probation" (2017), which describes probation as a system of measures intended to support offenders' social reintegration and prevent reoffending through supervision and individual rehabilitation programs, clearly reflects the resocialisation function of probation. For instance, the law mandates that probation reports with the accused's sociopsychological traits and suggestions for the employment of non-custodial punishments be prepared for courts. Furthermore, probation agencies are tasked by the Criminal Enforcement Code of the Kyrgyz Republic (2017) with monitoring adherence to court-imposed restrictions, holding frequent supervisory meetings with offenders, and carrying out individual resocialisation plans that may involve counseling, employment assistance, and participation in corrective programs. These clauses demonstrate that the focus of probationary activities is not just punitive control but also behavioural rectification and the reestablishment of the offender's

social connections. The Criminal Code of the Kyrgyz Republic (2021) provides the legal basis for these measures by allowing courts to impose conditional sentences, restrictions on behaviour, and probation supervision instead of imprisonment when the objectives of punishment can be achieved without isolation from society.

The Law of the Kyrgyz Republic No. 57 "On National Security Agencies" (2022), on the other hand, primarily defines the functions of national security agencies and gives them the authority to carry out operational-investigative activities with the goal of preventing threats to state security, such as terrorism and extremism. The law gives security authorities the power to monitor financial transactions connected to illicit activity, gather and analyse information about people suspected of participating in activities endangering national security, and take preventative action against radicalisation. According to the Criminal Procedure Code of the Kyrgyz Republic (2021), these agencies may also take part in criminal proceedings by offering investigation data pertinent to cases posing threats to national security. When sentences are being carried out, there are areas of institutional overlap where both structures perform specific supervisory duties. For example, probation agencies keep an eye on offenders' adherence to court-imposed behavioural restrictions, while security agencies may monitor people convicted of terrorist or extremist crimes in a preventive manner. The legal objective to integrate the preventative mandate of security institutions with the humanitarian orientation of probation is reflected in this dual mechanism of supervision. As a result, the alignment of these responsibilities results in a hybrid model of criminal justice where mechanisms intended to protect public and state security coexist with rehabilitative measures intended to reduce recidivism.

International instruments, notably the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) (1990) and

OECD (2024), have been implemented into the national legislation of the Kyrgyz Republic. Their application facilitated the establishment of probation as an instrument of the humanisation of criminal justice, while simultaneously aligning with the principles of state security. The legislative incorporation of personalised approaches, individual resocialisation plans, and mechanisms of social support corresponded with international standards and confirmed the intent to combine the humanitarian function with security policy. This approach ensured not only legal coherence but also the integration of national mechanisms into the broader context of international cooperation in the field of criminal justice.

The synthesis of legislative provisions allows us to conclude that a normative model has emerged in the Kyrgyz Republic, in which probation performs the function of offender resocialisation, while national security agencies perform the function of countering threats to state sovereignty. At the same time, the activities of these institutions intersect within the criminal justice system, necessitating the clear regulation of procedures and the provision of procedural guarantees. The consistent development of the normative framework indicates a progression from a formal allocation of functions towards the creation of comprehensive mechanisms of cooperation within a unified procedural system. This establishes conditions for further in-depth study of the mechanisms of interaction between probation and security agencies, aimed at achieving a balance between social reintegration of individuals and the protection of state interests.

Mechanisms of interaction between probation and national security agencies at different stages of the criminal process. At the pre-trial stage of the criminal process, probation and national security agencies carry out information-gathering activities that are complementary

in nature. Probation focuses on collecting socio-domestic characteristics of the individual, including educational level, employment status, and family connections, which form the basis for the preparation of probation reports. This information allows for an assessment of the suspect's degree of social integration and helps establish guidelines for subsequent resocialisation. Concurrently, national security agencies obtain data on contacts within potentially dangerous environments, verify possible involvement with extremist groups, and analyse the individual's financial and digital activity (Sasko *et al.*, 2026). The combination of these distinct areas of work creates an information base that ensures a comprehensive assessment of the situation.

At the stage of sentence execution, the activities of probation and national security agencies are directed towards monitoring offender behaviour and preventing recidivism. Probation implements a system of measures, including regular reporting by the offender, inspector visits, the development of individual resocialisation plans, and provision of social support (Nuridin *et al.*, 2025). These actions aim to create conditions for the gradual reintegration of the individual

into society. During this period, national security agencies focus on monitoring the behaviour of offenders who pose a risk to state security, as well as analysing financial and digital operations to identify potential threats. Although the legal mechanisms underpinning their activities differ, both institutions supervise compliance with the sentence and contribute to an integrated system of recidivism prevention.

At the post-penitentiary supervision stage, coordination of socio-legal and security measures remains essential. Probation continues social support for offenders after completion of the main sentence by implementing resocialisation programmes, assisting with employment, and providing psychological support. These measures are aimed at reducing the risk of reoffending and facilitating the individual's adaptation to societal life. Simultaneously, national security agencies carry out preventive checks, monitor digital activity, and apply preventive measures, including counselling for individuals identified as at-risk. The combined results of this interaction are summarised in Table 1, which systematises the information-gathering and control mechanisms applied at various stages of the criminal process.

Table 1. Information and control mechanisms of probation and national security agencies in the criminal process of the Kyrgyz Republic

Stage of the criminal process	Actor	Types of information/control tools	Sources/examples of application	Forms of use/expected outcomes
Pre-trial proceedings	Probation agencies	Socio-domestic characteristics; educational and employment status; family connections	Interviews with the individual; certificates from place of work and residence; data from educational institutions; local government information	Preparation of probation reports; risk assessment for recidivism; court recommendations regarding alternatives to imprisonment
	National security agencies	Information on involvement with extremist groups; contacts; financial transactions; digital activity	Operational and investigative activities; surveillance results; analysis of communication networks; financial monitoring data	Use in pre-trial investigation; assessment of threats to national security; initiation of preventive measures

Table 1. Continued

Stage of the criminal process	Actor	Types of information/control tools	Sources/examples of application	Forms of use/expected outcomes
Sentence execution	Probation agencies	Regular reporting; inspector visits; individual resocialisation plans; social support	Reporting meetings; checks of living conditions; consultations	Monitoring compliance with restrictions; support for social reintegration; reduction of risk of reoffending
	National security agencies	Monitoring behaviour of offenders convicted of security-related crimes; analysis of financial and digital activity	Surveillance; communications analysis; verification of financial flows	Preventive actions to minimise the risk of radicalisation; ensuring state security
Post-penitentiary supervision	Probation agencies	Social support; recidivism prevention	Resocialisation programmes; employment assistance; psychological support	Adaptation to societal life; prevention of reoffending
	National security agencies	Preventive checks; monitoring individuals at risk of re-radicalisation	Monitoring digital activity; travel restrictions; preventive counselling	Prevention of threats to state security; monitoring at-risk groups

Source: developed by the authors based on Law of the Kyrgyz Republic No. 34 “On Probation” (2017), Criminal Code of the Kyrgyz Republic (2021), Criminal Procedure Code of the Kyrgyz Republic (2021), Law of the Kyrgyz Republic No. 57 “On National Security Agencies” (2022)

The interaction mechanisms between probation and national security agencies form a multi-component system in which information and control blocks operate in close coordination. The combination of these blocks necessitates the simultaneous collection of data on the offender’s social characteristics and the analysis of potentially dangerous contacts or activities. For probation, the key tools are socio-legal in nature, reflecting the individual’s personal traits, social environment, and conditions for adaptation in society. For national security agencies, the priority lies in preventive measures aimed at identifying risks to state security and preventing their escalation. As a result, a system emerges in which social integration and security measures coexist as complementary elements of a unified process.

Within this interaction structure, a clear division of functions is observed, which does not preclude the need for coordination between institutions. Probation focuses on analysing intra-social

factors – living conditions, education and employment levels, and family and work connections – which determine the degree of social stability of the individual. National security agencies focus on external dangers related to participation in communication networks, contacts inside potentially dangerous groups, and questionable financial activities. The Law of the Kyrgyz Republic No. 57 “On National Security Agencies” (2022), which permits the identification and prevention of threats to state security, such as extremism and terrorism, serves as the foundation for these responsibilities. The fundamental legal foundation for such preventive monitoring is provided by the Criminal Code of the Kyrgyz Republic (2021), which provides criminal liability for involvement in extremist organisations, financing terrorist action, and other crimes against constitutional order. A multifaceted information framework that helps courts and investigators make well-informed procedural decisions is created when

these security-oriented mechanisms interact with the socio-legal assessments carried out by probation authorities, such as probation reports and individual resocialisation plans under the Criminal Enforcement Code of the Kyrgyz Republic (2017). Therefore, integrating security and socio-legal data lowers systemic risks associated with radicalism or organised crime as well as individual chances of reoffending.

The jurisprudence of the European Court of Human Rights, specifically the case of *Ekimdzhev and Others v. Bulgaria* (2022), which examined the compatibility of national covert surveillance legislation with Article 8 of the European Convention on Human Rights, can provide comparative doctrinal guidance when assessing the legitimacy of security measures. When using covert surveillance techniques, the Court underlined the need for precise legal regulation, impartial oversight procedures, judicial authority, and proportionality. These criteria serve as a crucial theoretical baseline for striking a balance between security and human rights, even though they are not legally binding for Kyrgyzstan. Kyrgyz national legislation governing operational-investigative activities and judicial oversight also reflects elements of this proportionality approach. It limits intrusive measures to cases involving serious threats and requires authorisation from competent judicial or prosecutorial bodies.

In reality, Kyrgyz criminal justice has had to deal with cases where people who were under probation supervision later joined extremist groups or committed other serious crimes. This has led to increased cooperation between security agencies and probation authorities during sentence enforcement and post-release monitoring. These instances show that the coherence of information sharing, judicial oversight, and respect to confidentiality and proportionality rules are more important for the success of institutional interaction than the severity of control

mechanisms. Reaching this equilibrium is essential to the criminal justice system's steady operation and its progressive conformity to globally accepted norms of security governance and human rights protection.

Procedural challenges and risks in the interaction between probation and national security agencies. Access to restricted information in the criminal process represents one of the most significant challenges in the interaction between probation and national security agencies. Security agencies accumulate a substantial body of data that holds strategic importance for identifying and neutralising threats; however, full disclosure of this information is impossible due to its classified nature. This situation necessitates defining the permissible limits of information sharing between institutions, balancing security interests with the requirements of the criminal justice process. It has been determined that insufficient regulation of this issue creates risks to procedural equilibrium and increases the likelihood of conflicts between the functions of different agencies.

Within probation activities, the use of restricted-access information is auxiliary in nature and is primarily applied to prepare socio-psychological profiles, assess the risk of recidivism, and determine the level of social adaptation of the individual. The study revealed substantial differences between the detail and depth of data available to security agencies and the more generalised information that was transmitted to probation services. This approach enables the court to receive the necessary characteristics without violating confidentiality, but leaves open the question of the boundaries and procedures of such information exchange. For clarity, the results of this systematisation are presented in table 2, which reflects the types of information, sources of acquisition, and categories of data partially utilised by probation.

Table 2. Restricted-access information in the activities of national security agencies and its partial use by probation services

Type of restricted-access information	Sources of acquisition by security agencies	Categories of data that may be transmitted to probation	Form of use by probation
Information on contacts with persons suspected of links to extremist or terrorist organisations	Operational-search measures, surveillance, analysis of communication networks	General data on the social environment of the suspect	Inclusion in the socio-psychological profile for the court
Information on financial activity indicative of money laundering or financing illegal activities	Financial monitoring, transaction control	Generalised information on the level of material provision	Use in probation assessment of social stability
Data on online activity, including access to radical resources	Internet traffic analysis, technical monitoring	Information on propensity to use online resources	Consideration in determining the risk of reoffending
Information on participation in informal organisations or groups	Agent-based intelligence, surveillance results	General information on the circle of social contacts	Reflection in the assessment of social behaviour

Source: developed by the authors based on Law of the Kyrgyz Republic No. 34 “On Probation” (2017), Criminal Code of the Kyrgyz Republic (2021), Criminal Procedure Code of the Kyrgyz Republic (2021), Law of the Kyrgyz Republic No. 57 “On National Security Agencies” (2022)

Analysis of Table 2 demonstrated that the informational interaction between probation services and national security agencies occurs in the form of partial data exchange with varying levels of detail and targeted purpose. Security agencies focus on collecting detailed information regarding suspects’ contacts, financial transactions, online activity, and potential participation in informal groups. The transfer of information to probation services occurs only in a generalised form and within the limits established by criminal procedural law governing access to pre-trial investigation materials and the protection of operational information (Criminal Procedure Code of the Kyrgyz Republic, 2021; Law of the Kyrgyz Republic No. 57, 2022). These limitations are a reflection of data protection and confidentiality laws. The provided data is only used by probation services to create socio-legal evaluations and probation reports for the court. The scope of disclosed data is limited in accordance with personal data protection standards and the necessity and proportionality principles established in the European Court of Human Rights’ jurisprudence.

These principles mandate that access to sensitive information be limited to what is absolutely necessary for the legitimate goal being pursued. This procedural framework protects fundamental rights and maintains the confidentiality of operational information while allowing courts to receive pertinent features of the offender. This approach provides the court with the necessary characteristics to make procedural decisions while maintaining confidentiality.

It was determined that the proportionality test should be used to evaluate the link between state security interests and the demands of the legal system (Barak, 2012). According to this method, limitations on information access or interference with individual rights must have a justifiable purpose, be required in a democratic society, and be commensurate with the goal of preserving national security. The European Court of Human Rights’ jurisprudence shows that in order to avoid undue interference with basic rights, security-related measures (including the processing of sensitive information) must be accompanied by sufficient procedural safeguards

and judicial scrutiny (OECD, 2024). In this framework, the division of information access between national security agencies and probation services acts as a means of preserving proportionality, guaranteeing that security goals are met without compromising procedural justice and the defence of individual rights.

The study also revealed that the process of interaction between probation and national security agencies is accompanied by a range of procedural risks, which are multidimensional. Their

impact extends both to the effectiveness of control mechanisms and to the protection of human rights in criminal proceedings. Systematisation of the collected data allowed the identification of four main categories of risk - legal, informational, organisational, and social. This classification is presented in table 3, where specific examples of their manifestation and potential consequences for criminal proceedings are outlined. The material enables an assessment of the most critical problem areas within this sphere.

Table 3. Classification of procedural risks in the interaction between probation services and national security agencies

Risk category	Nature of the risk	Example with doctrinal or case-law reference	Potential consequences
Legal	Insufficient regulation of probation access to materials containing state secrets; conflicts between legislative acts	Lack of a clear legal procedure for partial disclosure of classified information to the defence or probation services may undermine the principle of a fair trial. The European Court of Human Rights has emphasised that limitations on access to evidence must be accompanied by adequate procedural safeguards (Case of Rowe and Davis v. The United Kingdom, 2000)	Violation of procedural guarantees for the accused; formalisation of judicial control
Informational	Incomplete or asymmetric data exchange between institutions	Risk of excessive collection and retention of personal data by security agencies without clear necessity for probation assessment. This contradicts the principle of data minimisation, which requires that only data necessary for a specific purpose be processed (Case of S. and Marper v. The United Kingdom, 2008; General Data Protection Regulation (GDPR), 2016, Art. 5(1)(c))	Use of unilateral information in court proceedings; reduction in the objectivity of decisions
Organisational	Absence of coordinated interaction standards and overlapping restrictions	Simultaneous restrictions imposed by probation officers and security agencies (e.g., travel or contact bans) may arise due to weak inter-agency coordination. Research on criminal justice governance shows that coordination failures between institutions reduce efficiency and lead to duplication of control measures (Waring <i>et al.</i> , 2022; Iannacci <i>et al.</i> , 2022)	Excessive control over the individual; risk of violating the principle of proportionality
Social	Negative impact of intensified supervision on the resocialisation process	Intensive monitoring or intrusive security checks may undermine reintegration efforts and create a climate of distrust. Empirical studies of probation practice demonstrate that excessive surveillance can weaken rehabilitative outcomes and reduce offender engagement in resocialisation programmes (Sabbe <i>et al.</i> , 2021; Hanslmaier <i>et al.</i> , 2025)	Increased risk of reoffending; complications in social adaptation after serving the sentence

Notes: this table presents a classification of procedural risks without the use of specialised abbreviations requiring additional explanations. The terms “state secret” and “proportionality” are used in the sense defined in criminal procedural and international law

Source: developed by the authors based on Law of the Kyrgyz Republic No. 34 “On Probation” (2017), Criminal Procedure Code of the Kyrgyz Republic (2021), Law of the Kyrgyz Republic No. 57 “On National Security Agencies” (2022), Human Rights Watch (2023), Amnesty International (2023)

Analysis of Table 3 indicated that procedural risks encompass not only the legal sphere but also informational, organisational, and social dimensions. Legal risks arose from the absence of clearly defined procedures for exchanging classified information, which complicated comprehensive judicial oversight and reduced its effectiveness. Informational risks manifested as asymmetric access to data, creating the possibility of relying on unilateral evidentiary sources and affecting the objectivity of judicial decisions. Organisational risks were associated with insufficient coordination between probation services and national security agencies, leading to duplication of functions and the imposition of excessive restrictions. Social risks reflected the complexity of combining security and resocialisation tasks, as additional supervision could reduce trust in the justice system and increase the risk of reoffending.

It was established that a particularly salient challenge was balancing preventive measures with social adaptation objectives. Probation is tasked with supporting the resocialisation process; however, additional restrictions imposed by security agencies created conditions under which the effectiveness of such programmes was diminished. The atmosphere of constant surveillance and suspicion hindered the restoration of the offender's social ties and limited their motivation to change behaviour. This underlined the need to develop unified standards that combine resocialisation goals with preventive security functions without creating contradictions.

The overall findings demonstrated that procedural interaction between probation and national security agencies has a complex, multi-level structure encompassing both legal and organisational components. The simultaneous need to ensure social adaptation of the individual and protection of state security generates risks that require optimisation of regulatory and practical mechanisms. Key considerations remain access to

information, proportionality of restrictive measures, and safeguarding the independence of judicial oversight. These aspects form the foundation for further analysis of organisational and legal forms of interaction between institutions within the criminal justice system

Prospects for improving and reforming the interaction between probation services and national security agencies. Improving the interaction between probation services and national security agencies involves developing clear procedures and establishing transparent mechanisms for information exchange (OECD, 2024). This task is particularly relevant given the need to eliminate duplication of functions and ensure equal access of institutions to data relevant to criminal proceedings. Streamlining the parameters of interaction enhances trust in criminal justice institutions and contributes to more effective fulfilment of procedural tasks.

The introduction of standardised elements of information exchange allows for a balance between responsiveness and compliance with procedural safeguards. In practice, this requires a precise description of the kinds of information that can be sent, the circumstances in which it can be sent, the authorities in charge, and the legal ramifications of using the information. The Law of the Kyrgyz Republic No. 34 "On Probation" (2017), which governs the creation of probation reports, the supervision of people under non-custodial punishments, and the execution of resocialisation programs, provides the normative foundation for these procedures. The obligation of probation authorities to gather and process sociodemographic data on education, employment, family environment, and involvement in rehabilitation programs is specifically established by the provisions governing the preparation of probation reports and the monitoring of compliance with probation conditions. Such data serves as the foundation for estimating

the likelihood of recidivism and evaluating the offender's social stability.

Simultaneously, the Law of the Kyrgyz Republic No. 57 "On National Security Agencies" (2022) establishes the authority of security agencies to gather and examine data pertaining to threats to state security, such as information about financial transactions, contacts with extremist groups, and other signs of possible illegal activity. These authorities are subject to procedural control mechanisms and are used within the bounds set by legislation. When analysing risks or averting threats to public safety, pertinent material may be supplied in a generalised form during criminal proceedings. The Criminal Procedure Code of the Kyrgyz Republic (2021), which establishes the legal framework for gathering, confirming, and using information during criminal investigations and court proceedings, further supports procedural regulation of such information exchange. The Code specifies the standards for evidence's admission, relevance, and legality as well as judicial supervision of investigation activities. According to this framework, information from national security agencies and probation services may only be used in criminal proceedings if it conforms with specific procedural requirements.

The creation of coordinated information-sharing platforms aligns with worldwide guidelines for probation and criminal justice practices in addition to national legislation. International guidelines highlight that the goals of criminal resocialisation should be combined with preventive measures to safeguard public safety in order for probation services and security institutions to work together effectively (Klaus, 1998; Nursaliyeva *et al.*, 2023). Therefore, through transparent legal processes and institutional accountability, the regulatory framework governing these institutions' interactions should guarantee both operational effectiveness and the preservation of basic rights.

The goal of standardising information exchange components is to increase procedural efficiency and transparency. While guaranteeing the applicability of information received by allowed organisations, clearly identifying the sorts of data helps to lower the risks of excessive intrusion into an individual's private life. Clarity in the categories of data transmitted reduces privacy violations and guarantees that only necessary information is shared between authorities, as R. Laird (2021) emphasises. According to R. Peled-Laskov and F.S. Taxman (2024), regulated transmission dates decrease delays in reacting to security issues and encourage prompt procedural decisions by establishing precise deadlines for the sharing of vital information. According to S. Waring *et al.* (2022), assigning responsible parties prevents responsibility overlap and promotes effective decision-making, which guarantees accountability and coordination amongst institutions. The anticipated results, which strike a compromise between state security and offender reintegration, are consistent with the conclusions of M. Sabbe *et al.* (2021), who contend that precise goals and actions guarantee both the protection of public safety and the successful reintegration of offenders.

For probation officers to effectively carry out their duties within the criminal justice system, it is imperative that they get a sufficient degree of professional training. According to M. Hanslmaier *et al.* (2025), in order to handle the current threats posed by risks like radicalisation, probation officers must update their training methods and broaden their capabilities. Furthermore, R. Harris (2022) emphasises how crucial it is to incorporate legal and social-psychological knowledge into probation training in order to successfully handle both preventive and rehabilitative responsibilities. The educational modules, core skills, training techniques, and anticipated results are in line with F. Iannacci *et al.* (2022), who emphasise the necessity of multidisciplinary approaches in

training to adapt to the demands of contemporary probation services, in order to systematise pertinent training orientations. This strategy guarantees that probation officers are prepared to manage the intricacies of their responsibilities within the framework of current security issues.

It is essential to create professional training programmes for probation officers that comply with both national and international standards (UNODC, 2023) in order to guarantee the efficient operation of probation services. The Criminal Procedure Code of the Kyrgyz Republic (2021) and Law of the Kyrgyz Republic No. 34 "On Probation" (2017) provide the legal foundation for probation officers' duties, which include creating reports, evaluating risks, and suggesting possible sentences. Understanding criminal and criminal procedure law is a fundamental part of probation officer training, ensuring that officers can apply legal standards in their day-to-day job. This information is crucial for accurately preparing the probation reports that the law requires, which has a direct bearing on the calibre and validity of court rulings. Additionally, probation officers must be trained in social and psychological work with offenders in order to evaluate risk factors and conduct interviews that influence rehabilitation strategies. The Law of the Kyrgyz Republic No. 34 "On Probation" (2017) states that officers are in charge of assessing the likelihood of reoffending and creating resocialisation plans. This training component increases the effectiveness of rehabilitation initiatives by assisting officers in comprehending the motivations of offenders.

Specialised training is required due to the increase in radicalisation and extremism within the criminal justice system. According to the Council of Europe Handbook for Prison and Probation Services Regarding Radicalisation and Violent Extremism (2010), probation officers can successfully collaborate with national security services and recognise indicators of radicalisation through

seminars and interagency exercises. This kind of cooperation guarantees prompt intervention and enhances probation services' preventive function. In order to ensure that their actions comply with international standards, such as the United Nations Standard Minimum Rules for Non-Custodial Measures (The Tokyo Rules) (1990) and UNODC (2023), probation officers must also possess a thorough understanding of ethics and human rights (Klaus, 1998). As stated in Article 8 of the Criminal Procedure Code of the Kyrgyz Republic (2021), probation officials who get ethics training are guaranteed to uphold the principles of proportionality and respect for the rights of offenders. Finally, digital literacy is an essential skill given the increasing use of technology in criminal justice. Probation officers can handle sensitive data safely and effectively, as required by the Criminal Procedure Code of the Kyrgyz Republic (2021), including training in information systems and cybersecurity in accordance with the GDPR (2016).

The inclusion of modules on countering radicalisation and extremism is a crucial component of the training system. It highlights the increasing relevance of security aspects in probation work and the need for closer coordination with national security agencies. Orientation towards international human rights standards and application of the principle of proportionality ensures ethical and legal compliance in working with offenders, which reinforces trust in the probation institution. Therefore, staff training goes beyond legal knowledge, encompassing a broader set of competencies necessary for balanced activity in a complex security environment.

Developing digital literacy among probation staff is a priority, ensuring effective information exchange and protection of personal data. The use of digital tools in professional practice enhances the timeliness of monitoring and transparency in cooperation with security agencies. Ultimately,

the professional training system forms the foundation for effective and balanced probation work, where social adaptation is combined with state security objectives. This creates conditions for the further improvement of practical cooperation mechanisms within criminal justice.

Discussion

The conducted study demonstrated that the integration of probation measures with the preventive activities of national security agencies created a comprehensive system of checks and balances, designed to simultaneously ensure the social adaptation of offenders and the protection of state interests. At the same time, the established inequality in access to information and the insufficient specification of procedures for its transmission generated risks of one-sided procedural decisions and weakened the implementation of the principle of proportionality. These findings highlighted the need to develop clearer forms of judicial supervision and unified standards for interagency cooperation. Comparison of the obtained data with the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) (1990) and the European Probation Rules confirmed that the incorporation of international norms into national practice contributed to the reduction of procedural risks and ensured predictability in law enforcement. Overall, the study demonstrated the importance of modernising the legal framework, enhancing professional qualifications, and introducing unified information standards as key conditions for improving the effectiveness of interaction between probation services and security agencies.

Analysis of the coordination system confirmed that the effectiveness of activities largely depended on the existence of unified protocols and transparent information exchange procedures. Similar conclusions were drawn in the study by A.K. Wangara (2024), which showed

that the formalisation of cooperation rules between private security organisations and state security institutions determined accountability and effectiveness in crime prevention. This research established that the absence of such mechanisms generated risks of overlapping functions and hindered preventive activities, which aligns with the findings regarding the interaction of probation and security agencies.

The use of a structural-functional approach allowed the identification of the main directions for role allocation between probation services and security agencies within the criminal process. Similar emphases were observed in the work of F. Iannacci *et al.* (2022), which showed that the effectiveness of information exchange depended on management context characteristics and the establishment of trust between institutions. The results of the present study confirmed that the asymmetry of data access undermined the effectiveness of cooperation and complicated the fulfilment of both resocialisation and security functions, consistent with the conclusions of the aforementioned authors.

The issue of balancing resocialisation objectives with security measures was central to the study. A similar approach was evident in the work of Y. Nafid *et al.* (2024), which argued that the development of criminal law alternatives contributed both to reducing recidivism and to strengthening security measures. The findings indicated that the combination of probation programmes with the preventive control of security agencies reduced the risk of radicalisation, confirming the appropriateness of integrating social and preventive components within the criminal justice system.

In examining legal models, particular attention was paid to European experience. The study's conclusions were consistent with those of D. Todosiev and N. Ricijaš (2021), who emphasised that the development of probation in European states was based on the integration of Council of Europe

standards and a focus on the individualisation of measures. The research demonstrated that the introduction of individual resocialisation plans in the Kyrgyz Republic was an important step towards harmonisation with European practices, indicating common development trends. The results confirmed that the effectiveness of international cooperation in criminal justice depended on the level of detail and mandatory nature of legal mechanisms. Similar conclusions were drawn in the study by D. Danglades and E. Laudic-Baron (2024), which showed that regulatory ambiguity reduced the effectiveness of framework decisions in the European Union. These findings underscored the need to develop clear interaction protocols between probation services and national security agencies as a tool for ensuring the proportionality of restrictive measures.

The study also highlighted the influence of procedural mechanisms on the effectiveness of criminal justice. Similar observations were made by K.M. Warraich and J.S. Butt (2024), who noted that systemic failures in criminal prosecution in Pakistan had serious economic consequences and reduced trust in justice. They emphasised that the ethical and social dimensions of such failures directly correlated with the problems identified in the present research concerning insufficient coordination between probation and security agencies. Analysis of international approaches conducted by A.N. Martín (2022) indicated that the development of global criminal law proceeded through gradual standardisation, providing a foundation for procedural compatibility between different legal systems. These findings align with the results of the present study, which highlighted the importance of applying international norms in the activities of probation authorities in the Kyrgyz Republic to reduce procedural risks and ensure coordinated actions. S. Waring *et al.* (2022) demonstrated that multi-level information exchange among probation teams significantly

affected risk assessment quality and recidivism reduction. This was consistent with the findings of the present study, which confirmed that the standardisation of information flows between probation and security agencies formed the basis for minimising procedural threats and enhancing the effectiveness of resocialisation programmes.

Special attention was given to the interaction of state and civil institutions, summarised in the study by M. Sabbe *et al.* (2021). The authors noted that public trust in criminal justice institutions depended on the nature of their interactions, while transparency and coordination determined the effectiveness of resocialisation activities. Similar conclusions were drawn in this research, which demonstrated that the absence of coordinated actions directly affected the effectiveness of probation activities. Organisational analysis by P. Rocha (2025) emphasised that the internal culture of institutions determined the quality of inter-agency rehabilitation efforts. The author showed that inconsistencies in management practices led to fragmented efforts and reduced the effectiveness of collaborative work. The findings of the present study confirmed this trend, identifying the harmonisation of organisational approaches between probation and security agencies as a key task for improving the effectiveness of their interaction. M. Hailemariam *et al.* (2025) demonstrated that the use of data-driven decision-making in agencies working with individuals involved in the criminal justice system increased the efficiency of management decisions and the quality of resocialisation programmes. The integration of systematised data into planning processes minimised the risk of subjective errors and enabled more substantiated assessments of offenders. The current study confirmed the relevance of this approach, showing that organised information exchange between probation and security agencies formed the basis for reducing procedural risks. N. Malizia (2021) demonstrated that probation

programmes assigning offenders to social services in Italy were an effective alternative to imprisonment, with statistical evidence confirming reduced recidivism and additional opportunities for rehabilitation and social reintegration. The results of the present study partially reflected this approach, emphasising the importance of expanding individual resocialisation plans and strengthening the participation of social institutions in probation practice.

The concept of probation philosophy, as argued by A. Bałandynowicz (2025), defined it as a tool not only of control but also of restoring social justice. The author stressed that the implementation of humanistic approaches enhanced the role of probation in the resocialisation process and increased public trust in the criminal justice system. The current study partially confirmed this position, showing that combining offenders' social adaptation with the preventive functions of security agencies created a more balanced model of criminal justice. M. Hanslmaier *et al.* (2025) highlighted selective punitiveness among social work students, which affected attitudes toward offenders and the prospects for their resocialisation. It was shown that professional bias could negatively impact the future quality of probation services and reinforce punitive tendencies in the justice system. The present study corroborated these findings, identifying the need to improve probation staff training, particularly with emphasis on human rights and proportionality principles.

R. Peled-Laskov and F.S. Taxman (2024) demonstrated the importance of integrating therapeutic and psychological programmes within probation and conditional release. They found that the application of therapeutic approaches significantly reduced recidivism risk and ensured more sustainable rehabilitation outcomes. The present study's findings align with this approach, highlighting that probation effectiveness is determined not only by legal mechanisms but also by the

combination of social-psychological tools in offender work. Reform of Indonesia's criminal legislation, as shown by D. Agusta *et al.* (2025), was based on integrating control, punishment, and rehabilitative measures, promoting the development of a restorative justice model. The authors concluded that harmonising these components reduced the burden on the penal system while maintaining the balance between societal security and offenders' rights. This approach proved relevant in the present study, as the development of probation in the Kyrgyz Republic also required combining resocialisation programmes with the preventive functions of national security agencies.

E. Borta (2025) established that improving legal regulation of conditional release involved both expanding application criteria and clarifying supervision procedures. The author concluded that such changes increased the effectiveness of resocialisation mechanisms while simultaneously reducing recidivism risks. The present study confirmed the significance of this approach, identifying the need for standardising information exchange procedures and formalising control mechanisms. Models of international cooperation regarding juvenile offenders, examined by R. Laird (2021), showed that implementing rehabilitative programmes had long-term positive effects on social integration. The author's conclusions highlighted the importance of educational and preventive measures, corroborated by this study's findings on reducing recidivism risk across offender categories.

In summary, the study demonstrated that the main factors influencing the effectiveness of interaction between probation and national security agencies were: the standardisation of information exchange procedures, the integration of social-psychological and medical tools in the resocialisation process, and the harmonisation of national legislation with international norms. At the same time, analysis confirmed that

insufficiently detailed protocols and unequal access to data generated risks of excessive control and reduced the effectiveness of resocialisation programmes, underlining the necessity to improve organisational and legal mechanisms in this field

Conclusions

The study established that the interaction between probation services and national security agencies in the Kyrgyz Republic is systemic and multi-level. It manifests through the combination of probation's resocialisation measures and the preventive-control actions of security structures. At the pre-trial stage, the main instrument of probation remained probation reports, which formed the social-legal profile of the individual, whereas security agencies focused on collecting information regarding risky contacts, financial transactions, and digital activity. Such a division of functions provided the court with the necessary data for decision-making but simultaneously created risks of asymmetrical access to information.

Analysis of sentence enforcement practices indicated that probation primarily exercised control through individual resocialisation plans, regular reporting, and social support. During this period, national security agencies monitored the behaviour of offenders who could pose a threat to the state, while also conducting checks on financial and digital activity. In the post-penitentiary period, social adaptation programmes, employment assistance, and psychological support became decisive, whereas security structures concentrated on preventive measures and the mitigation of re-radicalisation. This demonstrated the complementary nature of the functions of the two institutions but also highlighted the need for clear coordination of their activities.

The study identified the most significant procedural challenges in the interaction between probation and security agencies as the absence of clearly defined data exchange regulations,

duplication of restrictive measures, and the impact of excessive supervision on the effectiveness of resocialisation. Asymmetrical access to information could result in one-sided judicial decisions, while weak interagency coordination could lead to overlapping functions and excessive burdens on the offender. At the same time, the integration of international standards, such as the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) and the European Probation Rules, provided a basis for creating a more balanced system in which security interests were combined with the principles of humanitarian justice.

The practical significance of the study lies in the development of recommendations for improving procedures for interaction between probation services and security agencies. Key directions include the standardisation of information exchange procedures, the development of interagency protocols, the strengthening of judicial oversight, and the enhancement of professional competencies among probation staff. Limitations of the study were associated with restricted access to classified materials of security structures and the lack of comprehensive statistical data on the effectiveness of resocialisation programmes. Further research should focus on evaluating the effectiveness of new legal and organisational mechanisms, as well as examining the experiences of other Central Asian and European countries to develop practical models for harmonising probation and security functions.

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Conflict of Interest

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References

- [1] Agusta, D., Madjid, A., & Aprilianda, N. (2025). Reforming Indonesian criminal law: Integrating supervision, punishment, and rehabilitation for restorative justice. *International Journal of Islamic Education, Research and Multiculturalism*, 7(1), 54-68. doi: 10.47006/ijierm.v7i1.434.
- [2] Amnesty International. (2023). *Amnesty International Report 2022/23*. Retrieved from <https://www.amnesty.org/en/wp-content/uploads/2023/03/WEBPOL1056702023ENGLISH.pdf>.
- [3] Asghar, U., Bhatti, S.H., & Andan, S.M. (2022). The criminal justice system in Pakistan: A critical study. *Global Legal Studies Review*, 7(1), 1-9. doi: 10.31703/glsr.2022(VII-I).01.
- [4] Bałandynowicz, A. (2025). The philosophy of probation in the Polish penal system. In B. Kaucz (Ed.), *Polish contributions to criminology* (pp. 129-188). Cham: Springer. doi: 10.1007/978-3-031-94142-9_6.
- [5] Barak, A. (2012). *Proportionality: Constitutional rights and their limitations*. Cambridge: Cambridge University Press. doi: 10.1017/CBO9781139035293.
- [6] Borta, E. (2025). [Current trends in improvement of regulations regarding the institution of conditional release before the term](#). *Legea și Viața*, 5, 691-697.
- [7] Council of Europe. (2010). *Handbook for prison and probation services regarding radicalisation and violent extremism*. Retrieved from <https://rm.coe.int/16806f9aa9>.
- [8] Criminal Code of the Kyrgyz Republic. (2021, October). Retrieved from <https://cbd.minjust.gov.kg/3-38/edition/2087/ru>.
- [9] Criminal Enforcement Code of the Kyrgyz Republic. (2017, January). Retrieved from https://continent-online.com/Document/?doc_id=36120659.
- [10] Criminal Procedure Code of the Kyrgyz Republic. (2021, June). Retrieved from <https://mvd.gov.kg/rus/ministry/normative-bases/23>.
- [11] Danglades, D., & Laudic-Baron, E. (2024). Navigating criminal justice cooperation: A French perspective on EU framework decisions. *European Journal of Probation*, 16(1), 93-104. doi: 10.1177/20662203241247668.
- [12] General Data Protection Regulation (GDPR). (2016, April). Retrieved from <https://gdpr-info.eu/>.
- [13] Hailemariam, M., Rosen, R.K., Sneed, R., Brown, G., Clark, K.J., Mackey, B., Eshetu, H., Taxman, F.S., & Johnson, J.E. (2025). Use of data-driven decision-making among agencies serving individuals with criminal-legal system involvement: A qualitative study. *BMC Health Services Research*, 25(1), article number 1138. doi: 10.1186/s12913-025-13385-2.
- [14] Hanslmaier, M., Ghanem, C., Graebisch, C., & Lutz, T. (2025). Selective punitiveness among social work students: A longitudinal study. *Probation Journal*, 72(4), 383-405. doi: 10.1177/02645505251364173.
- [15] Harris, R. (2022). *Crime, criminal justice and the probation service*. London: Routledge. doi: 10.4324/9781003310556.
- [16] Human Rights Watch. (2023). *Kyrgyzstan – security service powers*. Retrieved from <https://www.hrw.org/world-report/2023/country-chapters/kyrgyzstan>.
- [17] Iannacci, F., Simeonova, B., & Kawalek, P. (2022). Investigating the determinants of inter-organizational information sharing within criminal justice: A context-mechanism-outcome approach. *Journal of Information Technology*, 37(2), 188-208. doi: 10.1177/02683962211013826.

- [18] Jones, N.P., Lundberg, R., & O'Deane, M. (2023). A mixed methods social network analysis of San Diego law enforcement task forces and agencies. *International Journal of Police Science*, 2(1). doi: [10.56331/ijps.v2i1.7573](https://doi.org/10.56331/ijps.v2i1.7573).
- [19] Judgment of the European Court of Human Rights in Case No. 28901/95 "Rowe and Davis v. the United Kingdom". (2000, February). Retrieved from <https://hudoc.echr.coe.int/?i=001-58496>.
- [20] Judgment of the European Court of Human Rights in Case No. 70078/12 "Ekimdzhiiev and Others v. Bulgaria". (2022, January). Retrieved from <https://hudoc.echr.coe.int/?i=001-214673>.
- [21] Judgment of the European Court of Human Rights in Case Nos. 30562/04 and 30566/04 "S. and Marper v. the United Kingdom". (2008, December). Retrieved from <https://hudoc.echr.coe.int/?i=001-117816>.
- [22] Klaus, J.F. (1998). *Handbook on the management of violent extremist prisoners and the prevention of radicalization to violence in prisons*. TurIn United Nations Interregional Crime and Justice Research Institute.
- [23] Kuldysheva, G., Shapaeva, V., Suranbaev, K., Batyrbaev, B., & Osmanova, A. (2025). Analysis of penal enforcement systems in the context of probation: International experience and practice of implementation. *International E-Journal of Criminal Sciences*, 20, article number 4. doi: [10.1387/inecs.27337](https://doi.org/10.1387/inecs.27337).
- [24] Laird, R. (2021). [Regional international juvenile incarceration models as a blueprint for rehabilitative reform of juvenile criminal justice systems in the United States](#). *Journal of Criminal Law and Criminology*, 111, 571-603.
- [25] Law of the Kyrgyz Republic No. 34 "On Probation". (2017, February). Retrieved from <https://cbd.minjust.gov.kg/111517/edition/1103351/ru>.
- [26] Law of the Kyrgyz Republic No. 57 "On National Security Agencies". (2022, July). Retrieved from https://online.zakon.kz/Document/?doc_id=34962290.
- [27] Malizia, N. (2021). Adult inmates: Probationary assignment to social services as an alternative measure to detention for re-education and re-socialization: A statistical survey in Italy. *International Journal of Scientific and Research Publications*, 11(4), 149-159. doi: [10.29322/IJSRP.11.04.2021.P11219](https://doi.org/10.29322/IJSRP.11.04.2021.P11219).
- [28] Martín, A.N. (2022). *Global criminal law*. Cham: Palgrave Macmillan. doi: [10.1007/978-3-030-84831-6](https://doi.org/10.1007/978-3-030-84831-6).
- [29] Moffa, S., Perna, A., Cattolico, A., Sellitto, C., Ascione, A., Tafuri, D., Guerra, G., & Lucariello, A. (2021). Evaluations of muscular strength, ability to balance and health status in prisoners during covid-19. *International Journal of Environmental Research and Public Health*, 18(8), article number 4316. doi: [10.3390/ijerph18084316](https://doi.org/10.3390/ijerph18084316).
- [30] Nafid, Y., Haidass, M.A., & Joraiche, S. (2024). [The role of criminal alternatives as a future challenge in achieving security](#). *International Journal of Criminal Justice Sciences*, 19(1), 552-586.
- [31] National Statistical Committee of the Kyrgyz Republic. (2026). *Criminal*. Retrieved from <https://www.stat.gov.kg/en/statistics/prestupnost/>.
- [32] Nauatov, Z., Smatov, Z., Ismanov, T., & Kulalieva, G. (2024). [Investigating terrorism acts in Kyrgyzstan and Kazakhstan: Theory, practice, and methodological insights from the practice of investigative bodies of the prosecutor's office](#). *Universidad y Sociedad*, 16(2), 517-523.

- [33] Nursaliyeva, G., Baikenzhina, K., Kalmaganbetova, D., Balgimbekova, G., Seitzhanova, N., & Kussainova, L. (2023). Methodology for the legislative application of evaluative categories in criminal law. *Journal of Law and Sustainable Development*, 11(5), article number e0725. [doi: 10.55908/sdgs.v11i5.725](https://doi.org/10.55908/sdgs.v11i5.725).
- [34] Nuridin, S., Ongarbayev, Y., Muratkhanova, M., Kalmaganbetova, D., & Yessentemirova, A. (2025). Analysis of the institution of parole in the context of criminal law theory and practice. *Rivista Di Studi Sulla Sostenibilita*, 1, 105-123. [doi: 10.3280/riss2025oa19392](https://doi.org/10.3280/riss2025oa19392).
- [35] Organisation for Economic Co-operation and Development (OECD). (2024). *Baseline report of the fifth round of monitoring of anti-corruption reforms in Kyrgyzstan*. Paris: OECD.
- [36] Peled-Laskov, R., & Taxman, F.S. (2024). International perspective on treatment as part of probation/parole. In I. Durnescu, J.M. Byrne, B.J. Mackey & F.S. Taxman (Eds.), *The Routledge Handbook on Global Community Corrections* (pp. 553-582). London: Routledge. [doi: 10.4324/9781003305149](https://doi.org/10.4324/9781003305149).
- [37] Rocha, P. (2025). Understanding the impact of organizational culture on interagency efforts in offender rehabilitation. *International Journal of Organization Theory & Behavior*. [doi: 10.1108/IJOTB-10-2024-0211](https://doi.org/10.1108/IJOTB-10-2024-0211).
- [38] Sabbe, M., Moyson, S., & Schiffino, N. (2021). Citizen-agency versus state-agency at the frontline in prisons and probation services: A systematic literature review. *Social Policy & Administration*, 55(1), 206-225. [doi: 10.1111/spol.12633](https://doi.org/10.1111/spol.12633).
- [39] Sasko, O., Shvedova, H., Orobets, K., Ovcharenko, & R., Ostapenko, O. (2026). Criminal offence during martial law in Ukraine: peculiarities of qualification. *Bangladesh Journal of Multidisciplinary Scientific Research*, 11(1), 13-22. [doi: 10.46281/bjmsr.v11i1.2658](https://doi.org/10.46281/bjmsr.v11i1.2658).
- [40] Shadymanova, J., Musaeva, N., Orosaliev, E., & Omurakunova, C. (2023). *Kyrgyzstan: Social work and health in the penitentiary system*. In U. Pape, H. Stöver & I. Michels (Eds.), *Social work and health in prisons* (pp. 101-128). Baden-Baden: Nomos Verlagsgesellschaft.
- [41] Štimac, Z., & Aslanova, I. (2021). The role of securitization in the relationship between state and religion – the example of the Kyrgyz Republic. In A. Mihr (Ed.), *Between peace and conflict in the East and the West: Studies on transformation and development in the OSCE Region* (pp. 117-137). Cham: Springer. [doi: 10.1007/978-3-030-77489-9_6](https://doi.org/10.1007/978-3-030-77489-9_6).
- [42] Todosiev, D., & Ricijaš, N. (2021). *Probation in Europe: Croatia*. Utrecht: Confederation of European Probation.
- [43] U.S. Department of State. (n.d.). *Country reports on terrorism 2023: Kyrgyz Republic*. Retrieved from <https://www.state.gov/reports/country-reports-on-terrorism-2023/kyrgyz-republic>.
- [44] United Nations Office on Drugs and Crime (UNODC). (2023). *Analytical report on probation management – recommendations for the development of sustainable probation services in the Kyrgyz Republic*. Retrieved from https://www.unodc.org/roca/uploads/documents/2023/ANALYTICAL_REPORT_on_probation_management_recommendations_for_the_development_of_sustainable_probation_services_in_the_Kyrgyz_Republic.pdf.
- [45] United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules). (1990, December). Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-standard-minimum-rules-non-custodial-measures>.

- [46] Wangara, A.K. (2024). The relationship between private security service providers and national security organs in crime prevention in Lurambi sub-county, Kenya. *International Journal of African and Asian Studies*, 83, 43-62. doi: [10.7176/IAAS/83-05](https://doi.org/10.7176/IAAS/83-05).
- [47] Waring, S., Taylor, E., Giles, S., Almond, L., & Gidman, V. (2022). "Dare to Share": Improving information sharing and risk assessment in multiteam systems managing offender probation. *Frontiers in Psychology*, 13, article number 869673. doi: [10.3389/fpsyg.2022.869673](https://doi.org/10.3389/fpsyg.2022.869673).
- [48] Warraich, K.M., & Butt, J.S. (2024). Revealing the economic consequences of prosecution failures within Pakistan's criminal justice systems: A focus on ethical considerations, with comparative insights from Norway. *Minhaj International Journal of Economics and Organization Sciences*, 4(1). doi: [10.58932/MULE0022](https://doi.org/10.58932/MULE0022).

Особливості кримінального провадження щодо взаємодії між службами пробації та органами національної безпеки

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Анотація

Актуальність дослідження зумовлена необхідністю забезпечення балансу між ресоціалізацією правопорушників та завданнями протидії загрозам державній безпеці в умовах зростання ризиків радикалізації в Киргизькій Республіці. Метою статті було комплексне дослідження

механізмів взаємодії служб пробації та органів національної безпеки у кримінальному процесі Киргизстану. Методологія базувалася на поєднанні порівняльно-правового, структурно-функціонального та системного підходів, що дозволило порівняти національне законодавство з міжнародними стандартами та виявити особливості практичного застосування. Аналіз показав, що правові засади інституту пробації створили необхідні передумови для його розвитку; однак питання щодо процедур обміну інформацією з органами безпеки залишилися невирішеними. Було встановлено, що на досудовій стадії ключову роль відігравали звіти пробації, тоді як діяльність органів безпеки зосереджувалася на превентивному моніторингу. Під час виконання покарань акцент робився на індивідуальних планах ресоціалізації та моніторингу цифрової активності. На післявиправній стадії центральне значення мали профілактичні заходи та соціальна підтримка. Аналіз процедурних ризиків показав, що найзначнішими загрозами були асиметричний доступ до інформації, дублювання обмежувальних заходів та негативний вплив надмірного контролю на процес соціальної адаптації. Ефективність взаємодії визначалася рівнем стандартизації процедур обміну інформацією, розвитком професійних компетентностей персоналу пробації та адаптацією міжнародних стандартів до національного законодавства. Це надало дослідженню практичного значення у вигляді рекомендацій щодо покращення співпраці, які можуть бути використані правоохоронними органами, науковою спільнотою та політиками у сфері кримінального судочинства

Ключові слова: процедурні ризики; стандартизація; моніторинг; програми ресоціалізації; індивідуальні плани; соціальна підтримка; цифрова діяльність