



ACTUAL PROBLEMS IN THE ACTIVITIES OF THE PROSECUTOR'S OFFICE AND WAYS TO SOLVE THEM IN THE CONDITIONS OF THE REPUBLIC OF UZBEKISTAN

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Article history:	Abstract:
Received: June 6 th 2022 Accepted: July 8 th 2022 Published: August 17 th 2022	At the moment, we can talk about a very large number of functions, tasks and powers of the prosecutor's office. Developing as a separate system in the mechanism of the state, the Prosecutor's office is endowed with the rights both to conduct an investigation and to act as a party to the prosecution in court, and is endowed with issues of support for citizens and organizations in civil and economic courts. Also, the Prosecutor's office is not deprived of a law-making function, where the Prosecutor General can take an active legislative initiative. In this research work all above are studied.

Keywords: Prosecutor's office, prosecution, economic courts, execution

The analysis of the historical experience of public administration in many states allows us to reveal significant differences in the position and activities of the prosecutor's office in comparison with Western European states.

The main difference is the functional purpose of these bodies, which were assigned the task of ensuring legality in all types of legal relations. This difference has been characteristic of the Prosecutor's office for a long historical period and cannot but influence the content of the reforms carried out in this area. Representing a system of interconnected state bodies, the formation and functioning of which is connected with ensuring the rule of law in all spheres of socio-political life, the Prosecutor's Office in the Republic of Uzbekistan. In addition, the Prosecutor's office, being a multifunctional body, exercises its powers in almost all areas of legal regulation, which also determines its unique role in the state mechanism of the Republic of Uzbekistan.

The judicial and legal reform carried out in the country could not but affect prosecutor's office. There is no consensus on many other issues that could serve as a basis for developing a concept for the long-term development of this law enforcement agency.

These circumstances determine the relevance of the problem under consideration and determine the choice of the topic of the dissertation research.

The relevance of the study is due to the lack of modern legal studies that would fully disclose the main aspects of the prosecutor's office in the state mechanism.

Prosecutorial activity is an independent branch of state activity. According to the approach developed

by the theory of prosecutorial supervision, the powers of the prosecutor in the field of supervision are divided into two main groups:

- a set of powers in the field of detecting violations of the law;
- a set of powers in the field of elimination of violations of the law.

And each of these groups has its own peculiarities, implementation problems. We have indicated the legal basis and features of the implementation of these powers in the previous paragraphs of the dissertation research.

In our opinion, the following problems remain obvious in the activities of the Prosecutor's Office:

1) The legal status of the Prosecutor's office is not fully defined. In view of this, the expediency of developing the concept of prosecutorial law, which will contribute to the resolution of the above issues, the development of the most optimal ways of improvement, was justified, which will contribute to resolving the issues raised above, developing the most optimal ways to improve the legal regulation of the organization and activities of the prosecutor's office.

2) The Law of the Republic of Uzbekistan "On the Prosecutor's Office" does not contain the concept of "prosecutor's Office"; in view of this, we can offer the following definition: The Prosecutor's Office of the Republic of Uzbekistan is a unified centralized system of state bodies that, on behalf of the Republic of Uzbekistan, monitor compliance with the Constitution of the Republic of Uzbekistan and the execution of laws on the territory of the Republic Uzbekistan.



3) insufficient legal regulation of the issues of interaction of the prosecutor's office with internal affairs bodies, local public authorities and citizens' self-government bodies;

4) problems of interaction of the prosecutor's office with other authorities and local self-government bodies;

5) the narrowing of the powers of the prosecutor's office in the field of judicial proceedings, that is, the narrowing of the following powers in the form of filing a petition to the court for the imposition of a penalty to the accused;

6) at the moment, the procedures for implementing the powers of the prosecutor in law-making activities are poorly prescribed;

7) in the activities of the Prosecutor's office there are problems of a legal, departmental, interpersonal and organizational nature, which, in particular, manifest themselves in the process of interaction of the prosecutor's office with public authorities, as well as other public authorities and local self-government.

8) it should be noted that the problems of a legal nature are related to the imperfection of legislation and the existing bureaucracy. Quite often, officials of the prosecutor's office do not receive the information they need on time only for the reason that the request of the prosecutor's office employee "traveled" through the internal system of offices. Such a situation entails the untimely adoption of measures by the court to eliminate violations of the law, late response to it. In this case, the measures of the prosecutor's response lose their effectiveness. To solve this problem, it is necessary to provide the transition of all public authorities to electronic document management, since modern technologies allow you to instantly send information to any person, regardless of distance.

9) one of the varieties of organizational problems is the problem of technical equipment and the lack of electronic document management. Currently, the prosecutor's office keeps records of incoming complaints and documents, orders are formed from them, as well as supervisory proceedings, for the storage of which it is necessary to allocate a special room - an archive. These documents have a certain shelf life, after which they are destroyed, most often burned. Electronic document management and storage of a huge amount of materials in electronic form firstly, they would ensure the safety and easy accessibility of any document from the relevant material for an employee of the prosecutor's office, secondly, the documents could be stored for a long period of time, and there would be no need to destroy them, as well as

allocate a separate room for their storage. Thus, the prosecutor's office had it would have created its own database of archival documentation for many years.

10) most of the issues of the organization of the Prosecutor's office are regulated by departmental legal acts, in particular orders of the Prosecutor General. At the moment, the data angle research is not accessible to a wide range of people, due to the specifics of the prosecutor's office.

11) the issues of ensuring such forms of prosecutorial supervision as protest and representation are not legally established and developed during the long-term practice of prosecutorial activity.

12) in the organizational aspects of building the staff of the prosecutor's office, it is very important to improve the legal culture. From the point of view of the implementation of this area of work, I would like to note that this is often done with the help of educational events. If these measures are effectively implemented, then it is certainly necessary to take into account, that "propaganda of law" can also be implemented through lawsuits, where representatives of the media and the public can participate, as well as the organization of educational trials within the educational system, which should be made an obligatory part of teaching students in schools, colleges and universities. It should be noted that any interested citizen should have access to legal information that directly affects his rights and interests;

13) there is a need to develop and adopt a regulation on coordination of the activities of law enforcement agencies for the protection of human rights. It would significantly concretize the powers of the Prosecutor's office and define the main guidelines for establishing business cooperation between all bodies that are in one way or another directly involved in protecting the rights and freedoms of citizens;

14) the state of the work of the prosecutor's office with the society needs to be finalized, namely, the activity of reviewing appeals, receiving citizens and representatives of a legal entity. For a clear example, let's refer to a brief overview of foreign experience. Thus, the right to individual and collective appeals is enshrined in Article 17 of the German Constitution. Thus, German citizens are also entitled to petition. To this end, the Bundestag Committee on Petitions has been formulated. Its powers are defined by federal law. The Constitution of Germany it is also established that everyone who uses constitutional rights to the struggle against the foundations of a free democratic system by decision The Federal Constitutional Court completely or partially loses them. In this regard, we believe that at the moment it is necessary to determine the range of problems associated with dissatisfaction, or untimely



satisfaction of appeals from citizens and organizations in connection with the ongoing reforms in the country. By doing so, we will follow a clear principle: "It is not the people who should serve the state bodies, but the state bodies who should serve the people.

15) to continue improving the professional level of the prosecutor's staff by introducing interactive training methods, interaction on electronic technologies with experienced scientists and practicing lawyers on certain aspects of the work of prosecutors and other employees of the prosecutor's office;

16) to improve separately the details of the educational and methodological process, to attract specialists of both narrow and wide profile for this purpose, to exchange experience and knowledge, combining specialists of different state bodies of different political also, in our opinion, it will be necessary to include "business games" in the educational process, to continue developing measures to develop and encourage the creative activity of prosecutors and their desire for self-improvement;

Strengthening the prosecutor's supervision and increasing its effectiveness involves a combination of the prosecutor's supervision and departmental control of internal affairs and state security bodies, increasing the personal responsibility of the heads of the bodies of inquiry and preliminary investigation, heads of investigative units for strict compliance with the laws by their subordinate employees.

The Prosecutor's Office, within the framework of its activities as an independent supervisory body, whose activities are not limited to the criminal procedural profile (the status of the body of prosecution and supervision of the investigation of crimes), supervises business entities, as well as supervises the activities of other control bodies. At this stage, such an approach is justified, since the private sector of the economy is at the stage of its formation and development, and the control bodies do not always act accurately within their powers or have insufficient powers. In the future, with the stabilization of the activities of business entities, especially small and medium-sized ones, and the unification of regulatory bodies into a single system, it is possible to reduce the role of the prosecutor's office in the system of state control over business activities.

Prosecutor 's supervision is the main activity of all prosecutor 's offices . The prosecutor's offices, supervising the implementation of laws in the field of public administration, create conditions for the fulfillment of such tasks facing the state and society as meeting the needs of citizens, improving their material security, ensuring the rights and legitimate interests of

citizens. To reveal the current state of the prosecutor's office, we analyzed some questions about the place of the prosecutor's office in the system State authorities have determined that the Prosecutor's Office is an independent state body that exercises its powers independently of any state bodies, public associations and officials, subject only to law.

Summing up, it should be noted that the task of the prosecutor's office is not only to effectively carry out the powers assigned to them, but also to help the legislator in eliminating existing problems. For the most complete regulation of the activities of the prosecutor's office, it is necessary to establish in detail in the Constitution of the Republic of Uzbekistan their legal status, a specific list of functions, tasks and goals facing them as a special body overseeing the execution of laws.

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