



SIMPLIFICATION OF CRIMINAL PROCEEDINGS: CONCEPT, CONTENT AND IMPORTANCE

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Article history:	Abstract:
<p>Received: November 10th 2022 Accepted: December 6th 2022 Published: January 6th 2023</p>	<p>The article raises the issue of facilitating criminal proceedings, simplifying procedural actions that will be carried out at the stage of preliminary investigation and trial. The effectiveness of criminal justice is a major concern for every State, regardless of the legal system in which it operates. One of the ways to increase it is the introduction of procedures for simplified criminal proceedings.</p> <p>According to the UN, "summary proceedings" means a simplified procedure that speeds up trial proceedings in order to make the criminal justice system more efficient and minimize costs. In general, summary judgment is used in lower courts, usually for less serious criminal offenses, and is an expedited procedure in which certain formal procedures are not required or are simplified. The needs of practice increasingly testify to the need to introduce simplified procedures into the criminal process, especially at its pre-trial stages. Of course, this problem requires a comprehensive study and analysis so that legal regulation meets the needs of today and helps to increase the effectiveness of the fight against crime. One of the aspects of the study is familiarization with the experience of foreign countries in the simplification of criminal proceedings, which can be used in the development of domestic legal solutions in this area.</p>
<p>Keywords: the essence of the criminal process, the court, the simplified procedure, the simplified procedure, the contents.</p>	

Improving the judicial system and regularly developing it is one of the most important socio-legal tasks facing society. After all, our country's fundamental social reforms aim to establish a democratic and civil society. As the President of the Republic of Uzbekistan, Sh.M. Mirziyoev noted, "today, the processes of establishing a legal democratic state and a civil society in our country are rising to a new, high level." Therefore, it is becoming the most urgent task to critically review the activity of the judicial system, to fundamentally improve its effectiveness." [1].

In the explanatory dictionary of the Uzbek language, the concepts of "simplify" and "simple" are defined as follows, according to which it is explained as a state of making it simpler in terms of structure, composition, easy to understand, less complicated. [2].

It is known that the procedural legal norms of the parliament of our country regarding the conduct of business in a simplified manner were first introduced in the Civil Procedural Code of the Republic of Uzbekistan on the conduct of civil court cases, and later on the conduct of economic court cases of the Republic of

Uzbekistan "In connection with the adoption of additional measures to improve the business environment in the country, some of the Republic of Uzbekistan With the Law "On Amendments and Additions to Legislation", the Economic-Procedural Code of the Republic of Uzbekistan was supplemented with Chapter 231 entitled "Proceeding in a Simplified Procedure" consisting of 5 articles [3].

In the same way, a new Article 3321 of the Code of Administrative Responsibility of the Republic of Uzbekistan entitled "Simplified procedure for the execution of the decision to impose a fine" has been filled with provisions for the implementation of the new decision [4].

Therefore, the introduction of new norms providing for a new simplified procedure into the current Criminal Procedure Code is the next urgent issue on the agenda.

"Do you know about the simplified procedure in criminal proceedings?" a survey was conducted.

According to the results of the survey, according to the questions 56% (114 people) voted that



they have an understanding of this, while the remaining 45% (116 people) expressed an opinion that there is no separate legal definition for this, which indicates the need to legally strengthen the concept of simplified procedure in this criminal procedure [5].

At the same time, the legal essence of the concept of simplified procedure in criminal procedural relations is not clearly defined in the legislation.

Therefore, we will consider the theoretical opinions of some jurists of our country regarding the content and theoretical features of "Simplification of criminal procedural relations", "simplified procedure in pre-trial proceedings".

In particular, the head of the Department of Investigation under the Ministry of Internal Affairs, lawyer B.E. Berialiev, called for the "simplified procedure of conducting the case before the court" - before the investigation, at the stage of investigation, inquiry and preliminary investigation, the cases are clear and taking into account the socially dangerous nature of the crime, a legal decision is made in a short period of time. defined as a process that allows [6].

The legal scientist N.I. Khairiev studied the process of simplifying criminal procedural relations by intensifying (or speeding up) criminal procedural relations [7].

TSUL yu.f.d. professor Z.F. Inog'omjonova thought about the application of the simplified procedure at the court stage, and G.Z. Tolaganova in their scientific works.

According to the UN, "summary proceedings" is a procedure aimed at ensuring the high-quality efficiency of the justice system and speeding up the processing of cases before the court and at the trial stage by reducing costs [8].

In Article 10 of the Universal Declaration of Human Rights, "Everyone has the right to a fair and public trial by an independent and impartial tribunal in full equality, in order to determine his rights and obligations and to determine the validity of the charges brought against him." "league is strictly defined[9].

In our opinion, at the core of the concept of "justice" here, it is meant to reduce the procedural forms that make the accused suffer as much as possible and to implement the judicial procedure that creates the conditions for the speedy and fair decision of his fate.

It was this rule that later served as the foundation for the development of international standards for conducting criminal cases in courts.

In particular, in accordance with Article 9, Clause 3 of the "International Covenant on Civil and Political Rights" of December 16, 1966, "any person arrested or imprisoned on charges of committing a crime shall be immediately brought before a judge or an official exercising judicial authority under the law.", also has the right to have the case brought against him

heard in court or released within a reasonable (in accordance with the purpose) period"[10].

It should be noted that the problems related to the simplification of the administration of justice in criminal proceedings have been studied in various scientific directions.

In particular, in the opinion of Yu.K.Yakimovich, a proceduralist legal scientist, he researched "simplified judicial proceedings" as an element of the criminal process that depends on the structure and system of the criminal process[11].

As a structure of the criminal process, he proved his opinion by the speedy consideration of the proceedings in its stages, the specific powers of the state structures authorized to deal with crimes according to the level of social danger.

Approving the opinions of the above legal scholars, "Simplified proceedings in criminal-procedural relations - investigation, inquiry and preliminary investigation before the investigation, allowing to make a legal decision quickly and in a reasonable time, taking into account the specific circumstances of the case and all the features of the level of social danger of the crime at the trial stage. , the process of the criminal process aimed at preventing the use of excessive repetitive force and other means by all participants of the criminal process.

The criminal procedural form is a product of organizational and procedural criminal procedural norms that are consistent with regulatory and protective norms that establish principles, their guarantees, procedural rights and procedural obligations of the subjects of the criminal process and their guarantees. Being synchronously implemented with regulatory and protective norms, the implemented organizational and procedural criminal procedural norms appear in the form of attributes of the criminal procedural form - attributes-establishments (stages, their sequence, stages of procedural activity within the stages and their sequence) and attributes - technological tools of law enforcement (order, system and connection of procedural actions, sequence of procedural actions, conditions for the production of the latter, techniques and means of law enforcement actions, terms, procedure for making procedural decisions; a certain structure of procedural decisions), building a "matrix", under the parameters of which the procedural activities of the subjects of the criminal process are formatted .

Developed in the theory of the legal process, the concept of the structure of the criminal procedural form, the components of which are stages, procedural proceedings and the procedural regime, is the methodological basis for explaining the mechanism of the impact of the criminal procedural form on procedural activity, as well as the possibility of differentiating the types of law enforcement procedural



proceedings, including including in the direction of the formation of simplified pre-trial proceedings. The attributes of the criminal procedure form as its working tools are distributed among the specified components of the structure of the criminal procedure form, which ensures the interconnection and coordination of the latter.

Procedural proceedings as a component of the procedural form are characterized by: their subject matter, the features of which give specialization and direction to the procedural law enforcement proceedings, due to the nature of the controversial criminal legal relations and criminal procedural relations to be identified; the purpose of providing increased guarantees for the persons involved in the case (which is associated with the complication of the procedural form) or the purpose of simplifying the procedural form with a certain decrease in the level of providing such guarantees.

The subject and goals of the procedural proceedings set the appropriate procedural regime, which, through its attributes - technological tools of law enforcement, serves the "working out" of the subject and the achievement of the goals of procedural law enforcement proceedings. Procedural proceedings, as a component of the criminal procedural form, without connection with another component - the procedural regime - does not give an idea of the originality of the specialized focus of a particular type of law enforcement procedural proceedings. Procedural production and procedural regime reflect the inner side of the criminal procedural form.

The stages and their sequence, as a component of the structure of the criminal procedure form, represent the external side of the criminal procedure form and are in a coordinating connection with the procedural regime that fills the procedural proceedings. With the transformation of the procedural regime in the direction of simplification, the number of stages or their sequence may change.

Differentiation of the procedural form is the state of structuredness of the criminal process according to the types of criminal procedural law enforcement proceedings, including the types of simplified pre-trial proceedings. The need for simplified pre-trial proceedings is determined by prerequisites that are organizational, procedural and economic in nature, which include:

- 1) an increasing number of criminal cases on crimes of small and medium gravity;
- 2) the apparent disproportion of the staffing and resource support of the investigation bodies to a significant number of crimes of small and medium gravity;
- 3) the presence in the criminal procedure law of excessive formal requirements that require time costs

and reduce the efficiency of the procedural activities of entities conducting pre-trial proceedings;

- 4) financial costs for pre-trial proceedings

These prerequisites determine the specific goals of simplifying the procedural form. These include rationalization, which, as the main goal, is specified in three interrelated sub-goals: acceleration, reduction in cost and optimization. The achievement of these goals should appear in the form of a criminal procedural form of simplified law enforcement procedural proceedings.

Based on this, it is possible to understand more deeply by separating the separate structural elements of this concept.

Firstly, simplification of criminal proceedings - this procedural law provides an opportunity to conduct a criminal case in a simple and accelerated manner;

Secondly, the term "possibility of conducting the criminal procedural law in an accelerated manner" means starting from the initiation of a criminal case as a result of an investigation or inquiry before the investigation.

Until the availability of resources for the implementation of procedural mechanisms related to the simplification of all relations up to the presentation of the case for consideration in court;

Thirdly, simplification of the criminal justice process is a process of the criminal process aimed at increasing the efficiency of the justice system, preventing the state bodies responsible for criminal justice proceedings from spending a lot of time and resources before the trial.

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