



DIGITALIZATION OF COURT ACTIVITIES HELPS TO INCREASE THE EFFICIENCY OF JUSTICE: THE CASE OF THE REPUBLIC OF UZBEKISTAN

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Article history:	Abstract:
Received: August 4 th 2023 Accepted: September 4 th 2023 Published: October 4 th 2023	This article focuses on some aspects related to the digitization of court activities. Judiciary, consideration of civil, economic, administrative and criminal cases by the court, as well as the impact on the rights and legal interests of the court, citizens, enterprises, institutions and organizations through the resolution of legal disputes through the digitization of court activities, related to the opportunities provided to citizens through the digitization of courts issues are covered.

Keywords: Digitization of court activities, justice, independence of judges, rule of law, socio-political stability.

During the consistent implementation of the reforms implemented in the Republic of Uzbekistan, the development strategy of Uzbekistan for 2022-2026 was approved and a number of tasks aimed at creating the necessary political-legal, socio-economic and scientific-educational foundations of the reforms to be implemented in the next five years were defined ¹.

In addition, in the past 2017 - 2021, systematic work was carried out to ensure human rights, strengthen accountability and openness of state bodies, and increase the role of civil society institutions, mass media, and political activity of population and public associations in the five priority areas of development.²

in the Republic of Uzbekistan in the last five years, the necessary political-legal, socio-economic

and scientific-educational foundations for the establishment of New Uzbekistan were created and large-scale work was carried out.

In this program document, which was developed in order to implement the noble ideas of "For the value of man", "The state is for man", the development trends of the country in the near and medium term, the priority tasks in this regard are defined, and the development strategy of New Uzbekistan for 2022-2026 100 goals and 398 tasks were set for implementation in the next five years based on 7 priorities.

In the 15th goal of the development strategy, a number of tasks have been established to establish effective judicial control over the activities of state bodies and officials and to increase the level of justice for citizens and business entities. Especially:

Expanding the field of judicial control by improving the system of reviewing appeals against the decisions of officials in administrative courts;

Strengthening the judicial control over the investigation through the further development of the "habeas corpus" institution. Realizing the principles of real equality and competition of the parties in the court process;

In order to widely implement the principle of "one step" in the court system, to introduce a system

¹ Decree No. PF-60 of the President of the Republic of Uzbekistan dated January 28, 2022 "On the Development Strategy of New Uzbekistan for 2022-2026" // <https://lex.uz/en/pdfs/5841063>

² Decree of the President of the Republic of Uzbekistan dated February 7, 2017 "On the Strategy of Actions for Further Development of the Republic of Uzbekistan" No. PF-4947 // Collection of legal documents of the Republic of Uzbekistan. 2017, No. 6, Article 70.



of accepting applications regardless of their jurisdiction and sending them to the authorized court, as well as ensuring the resolution of all legal consequences within the framework of a certain case;

Radically increase the level of access to fair justice for citizens and business entities by step-by-step digitalization of the court system, removal of bureaucratic barriers and obstacles;

Creating the necessary organizational and legal conditions for the widespread use of alternative methods of conflict resolution, further expanding the scope of the institution of reconciliation;

To further increase the role of judicial community bodies in ensuring the true independence of the judiciary, to widely introduce the principle of self-management of judges, and to create effective mechanisms to prevent illegal influence on judges;

Ensuring openness and transparency in the formation of the judiciary, introducing democratic principles such as election and accountability in the appointment to leadership positions in the judicial system.

At the same time, it was shown that the systematization of legal documents regulating the judicial system will be carried out.

The main goal of these defined tasks is to achieve further provision of justice and rule of law in the activity of the courts and the consideration of their cases. In particular, as a result of the implementation of the program for the introduction of modern information and communication technologies in the activities of the courts in 2017-2020, approved by the decision of the President of the Republic of Uzbekistan No. systems of automatic distribution, publication of court decisions on the Internet, and electronic submission of executive documents for mandatory execution were introduced.

These positive changes not only save time and money of citizens and business entities, but also allow them to process their claims quickly and focus on execution.

At the same time, today, the exchange of information with many ministries and agencies during court cases is mainly done on paper because their information systems are not mutually integrated. In addition, the courts demand to accelerate the work on expanding the type of interactive services provided to citizens and entrepreneurs.

Digitization of the activities of judicial authorities, improvement of information exchange between courts and other agencies, as well as the adoption of the decision of the President of the

Republic of Uzbekistan No. PQ-4818 of September 3, 2020 "On measures to digitize the activities of judicial authorities" are the basis for further improvement of the activities of the court system It is no exaggeration to say that it will be.

The decision approved the digitalization program of judicial authorities in 2020-2023, which provides for the following:

of the President of the Republic of Uzbekistan dated July 24, 2020 "On additional measures to further improve the operation of courts and increase the efficiency of justice" consistent implementation of the tasks set in the field of justice, increase the level of citizens' access to justice, cases the mechanisms for ensuring the equality and appeal of the parties have been expanded in order to improve the quality of court hearings and to make impartial, fair and legal court decisions."³

Starting from January 1, 2021, court sessions will be recorded using audio recording at the request of the parties to the case and with the consent of the chairperson, as well as court session minutes will be created using this system. The development and implementation of a mobile application that allows participation in court sessions in the video conference mode by the Supreme Court is an important step in protecting the rights and freedoms of citizens.

Also, starting from July 1, 2021, the automatic distribution of cases between judges in the courts of appeal and cassation was introduced. From October 1, 2021, all participants will be informed about the time and place of court hearings on a free basis via SMS, and from January 1, 2022, court decisions will be presented to the parties in the case online, and at their request, in paper form;

At the same time, until July 1, 2022, it was decided to provide about 10 interactive services in order to facilitate the activities of judicial authorities, including citizens and business entities in achieving justice.

From January 1, 2023, electronic submission and reception of court cases to the state archive will be freed, and it will allow to ensure openness and transparency in the activity of courts while increasing access to justice.

³Mirziyoev.Sh.M. Decree of the President of the Republic of Uzbekistan dated July 24, 2020 "On additional measures to further improve the activity of courts and increase the efficiency of justice".. - "Uzbekistan", 2020.



Of course, as a result of these humane actions, citizens' vagrancy will be prevented and convenience will be created during judicial proceedings. Such actions will not fail to bear fruit.

The Decree of the President of the Republic of Uzbekistan dated July 24, 2020 "On additional measures to further improve the operation of the courts and increase the efficiency of justice" was another important document to continue reforms in the judicial system, and several reforms were implemented as the basis of this Decree . increased.

Also, the goal of the reforms implemented in the judicial system is to strengthen the protection of the rights and legal interests of citizens through courts, to increase and ensure the effectiveness of justice. It also depends on the timely and unconditional execution of the documents accepted by the courts.

In order to ensure the execution of the decree, starting from January 1, 2021, the Republic of Karakalpakstan, regions and the Republic of Karakalpakstan, maintaining the strict specialization of judges on the basis of regional and equivalent civil cases, criminal courts and economic courts, and establishing separate judicial panels for the types of court proceedings General jurisdiction courts of Tashkent city were established. In addition, the authority to review cases of administrative offenses was transferred from administrative courts to criminal courts.

On August 10, 2020, the decision of the President of the Republic of Uzbekistan "On measures to further strengthen the guarantees of the protection of the rights and freedoms of the individual in the judicial investigation" was adopted.

At the same time, it should be said that the necessary information and documents in the process of consideration of a particular case will be obtained by the courts directly from the state bodies and organizations in electronic form without bothering them. In addition, the "Adolat" information system complex, which provides the opportunity to submit lawsuits, applications and complaints to courts only in electronic form by state authorities and management bodies, local state authorities, economic management bodies, and lawyers, is being introduced to the courts from January 1, 2022. we can see that it serves the principle of "For human dignity".

In view of the consistency of the reforms being implemented, the Law signed by the President of the Republic of Uzbekistan (ORQ-869, 27.09.2023) amended and supplemented the Code of Criminal

Procedure. general conditions for checking fairness (Chapter 55); Filing a complaint (protest) against the court's verdict and decision in the procedure of review (Chapter 56-2). In accordance with this: the legality, reasonableness and fairness of court verdicts, rulings and decisions can be checked in the appeal, cassation and audit procedures. Now, as a result of the implemented reform, the prosecutor takes part in considering the criminal case in the procedure of appeal, cassation, inspection. The court does not limit itself to complaints or protests when hearing a criminal case in the procedure of appeal, cassation, inspection, and investigates the case in full in relation to all convicts, including persons who have not filed an appropriate complaint or convicts against whom a complaint (protest) has not been filed. The convict, his defender, legal representative, the victim, his representative have the right to file an appeal against the judgments and rulings of the court of first instance considered in the procedure of appeal or cassation, as well as the judgments and rulings of the courts of appeal or cassation, in the procedure of review.

If in the complaint or protest, the question of the necessity of applying the law on a more serious crime, of increasing the punishment, or of other changes leading to the worsening of the condition of the prisoner, is raised, the court's judgment of conviction or decision shall be reconsidered in the review procedure, as well as the court's acquittal sentence or the court's decision to terminate the case in the review procedure. revision is allowed only within 1 year after its entry into legal force.

The sentencing court shall notify the relevant persons within 3 days that the criminal case has been sent to the court of the investigating authority. Also, by the law, the terms of filing appeals (protests) against the verdict were shortened from 20 days to 10 days. Also, the procedure for filing a private complaint and filing a private protest against the decision on the resolution of issues arising during the execution of the court verdict, decision and decision was established. According to the aforementioned changes, the Law will enter into force on January 1, 2024.

These ongoing reforms will not fail to have an impact on the effectiveness of the judiciary.

To sum up, the implementation of these measures regarding the digitization of court activities, on the one hand, serves as an important tool for the effective protection of the rights of citizens and legal entities and their legal interests, and on the other hand, several goals for the further improvement of court activities and along with the determination of the



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issues, in turn, it serves the courts to exercise their professional responsibility and serve the rights of citizens.