

COURT LEGISLATION OF THE REPUBLIC OF UZBEKISTAN

Omadjon Tavakkaljon ugli Kodirjonov

3rd Year Student at the Faculty of “History”

of Andizhan State University, Andizhan, Republic of Uzbekistan

Khusanboy Madaminjonovich Muminov

Scientific Adviser Associate Professor at the Department of “

History of Uzbekistan” of Andizhan State University

ABSTRACT

This article, based on scientific and historical sources, highlights the recent history of the current judicial system in the Republic of Uzbekistan and the history of changes made to it. This shows that the work of courts in Uzbekistan is being democratized for the benefit of the people.

Keywords: Court, body, citizen, article, law, right, equal rights.

INTRODUCTION

On August 31, 1991, the Republic of Uzbekistan declared its independence and was recognized by the world community as a country with equal rights to all countries in the world. The introduction of the national management system in Uzbekistan has become the most urgent issue of the day. Globally, the state management system is divided into legislative, executive and judicial authorities. Ensuring the independent functioning of these management and government bodies has been raised to the constitutional level. As a result, the independence of the judiciary was ensured. It should be said that in the former Soviet period, despite the existence of the judiciary, it was not formed as an independent body in the true sense. After the independence of Uzbekistan, this issue was re-examined and the courts were turned into an independent body in Uzbekistan, and in order to improve the functioning of this body, changes are being made to the functioning system of the judiciary.

RESEARCH METHODS

This article was written on the basis of methods of historical research such as scientific objectivity, logical consistency, comparative analysis, chronological consistency.

RESULTS AND DISCUSSIONS

Today, all over the world, judicial bodies operate as an independent body of the government, therefore different tariffs are given to this body. For example, the “Oxford Languages” dictionary gives the following definition: “a body of people presided over by a judge, judges, or magistrate, and acting as a tribunal in civil and criminal cases” [1]. According to the English universal encyclopedia “Encyclopædia Britannica”, the definition of the term court is: “cour is Court, a person or body of persons having judicial authority to hear and resolve disputes in civil, criminal, ecclesiastical, or military cases. The word court, which originally meant simply an enclosed place, also denotes the...” [2]. In the “National Encyclopedia of Uzbekistan” the

term court (court named “sud” in Uzbek) is defined as follows: “Sud (in Slavic, sud – “work”) is a state body that administers justice; considers and resolves criminal, civil, administrative and other categories of cases in accordance with the laws of a particular state. Considering property and non-property disputes between individuals, between them and state agencies, enterprises, institutions, organization administrations, public associations, cases related to violations of the law, and protecting the rights and freedoms of citizens, the rights of enterprises, institutions, organizations and the law protects protected interests. The court should act independently and impartially from other state bodies, public associations and any person, consider and resolve all cases only in accordance with the law” [3]. In addition, in the “Explanatory dictionary of the Uzbek language” as “Sud” - (in ancient Russian, court – “case”; “judgment”) 1) A state body that resolves certain civil disputes (between individuals or institutions and organizations, between individuals and institutions and organizations) and examines criminal cases; 2) A building, room, place where such an organ is located; 3) Employees of such a body or a panel of judges; 4) Civil or criminal proceedings in such a body. II. Court (Persian sud, — profit, income; percentage) 1) Old meaning: profit. 2) Interest charged by usurers on money lent [4]. On May 6, 1993, the Law “On the Constitutional Court of the Republic of Uzbekistan” was adopted. This law was aimed at regulating the activities of the Constitutional Court of the Republic of Uzbekistan [5].

On September 2, 1931, at the XI session of the Oliy Kengash, the Law “On Courts” was adopted, and through this law, issues such as the organizational basis of judicial bodies in Uzbekistan and the independence of judges were resolved [6]. Article 2 of this adopted law. “The implementation of justice only by the court. In this article on the independence of the judiciary: “Justice in the Republic of Uzbekistan is administered only by the court. Judges are independent, subject only to the law. It is not allowed to interfere in any way with the activities of judges in the administration of justice, and such interference is a cause of responsibility according to the law. “In the Republic of Uzbekistan, the judiciary operates independently of the legislative and executive authorities, political parties and other public associations.” This article became an important guarantee of the independent activity of the courts.

Article 7 is about the “Language of court proceedings”, and in this article: “Court proceedings in the Republic of Uzbekistan shall be conducted in the Uzbek language, the Karakalpak language or the language spoken by the majority of the population of a certain place. Persons participating in the court who do not know the language in which the trial is being conducted shall have the right to fully familiarize themselves with the case materials and to participate in the proceedings of the trial through an interpreter, as well as the right to speak in their native language in court” [7]. This article, while protecting the rights of representatives of many nationalities that make up the national minority in Uzbekistan, serves to make it easier for them to apply to judicial authorities. Naturally, this will make the court transparent and fair, as well as prevent possible misunderstandings during the trial.

On December 14, 2000, this law will be adopted in a new version. In this new version of the law, the tasks of the court, the implementation of justice and the independence of the judicial authority were determined separately in Articles 2, 3, and 4. This shows that in recent years special attention has been paid to the independence of the judicial system. In addition, Article 3 clearly states that only a judicial body can conduct judicial proceedings. This also served to

prevent the interference of other bodies in the work of the courts and ensured the full independence of the judges.

Article 7 “Language of court proceedings” is changed to Article 8 “Language of court proceedings” as follows: “Court proceedings in the Republic of Uzbekistan shall be conducted in the Uzbek language, the Karakalpak language or the language spoken by the majority of the population of a certain place conducted in the language. Persons participating in the court who do not know the language in which court proceedings are conducted shall have the right to fully familiarize themselves with the case materials and participate in court proceedings through an interpreter, as well as the right to speak in their native language in court” [8].

Article 10 of the Law “On Courts” of 1993 stipulated that the independence of judges and their strict compliance with the law should be implemented by the Ministry of Justice of the Republic of Uzbekistan. In Article 11 of the 2000 law, this task was transferred to the Supreme Council of Judges of the Republic of Uzbekistan. The legality of the above-mentioned principles of division of power was strengthened by this change.

At this point, it is necessary to mention the Supreme Court of the Uzbekistan SSR, which was established in place of the Turkestan ASSR division of the Supreme Court of the RSFSR by the Decision of the Central Executive Committee of the Uzbekistan SSR on December 13, 1924, because this body is the first Supreme Court in the history of Uzbekistan, and despite being established on a separate basis, unlike the current courts, it could not function as an independent authority from the beginning. This body was created under the Central Executive Committee of the Uzbek SSR and subordinated to it, so the rulings of this body were also related to the opinion of the Presidium of the MIK of the Uzbekistan SSR [9].

In the Republic of Uzbekistan, in order to prevent such a situation, as mentioned above, the judicial body was separated from the beginning as an independent authority, and the inviolability of the representatives of this body was ensured within the framework of the law. In this way, the rights of citizens are guaranteed to be fully protected as defined by law.

Many more amendments will be made to the legislation, because the legislation that is useful in a certain period may become outdated over time and make it difficult for citizens in the new period, therefore, amendments are made to the legislation. Many factors can affect this, including the introduction of new modern technologies, i.e. a vivid example of this is the rapid entry of digital technologies into our country, because such technologies affect people working in the judicial system and these facilitates the work of people applying to the body, taking examples from the experiences of neighboring countries can also have an effect, but the most important factor is always the introduction of convenient and reliable methods for protecting the rights of citizens, therefore, it is time for the legislation of the judicial system in our country Changes are made from time to time.

CONCLUSION

In conclusion, the changes introduced to the judicial system in the Republic of Uzbekistan are being implemented for the independent and fair functioning of the court. Unlike the judicial system in the Soviet Union, the Court was separated as a separate, independent government system, and other government bodies were prohibited from interfering in its activities. Even

after the adoption of the Law on Courts, various amendments were made to it, and the functioning of this body was improved.

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