

THE ROLE OF JUDICIAL-LEGAL REFORMS IN ELEVATING HUMAN DIGNITY

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Over the past short period, Uzbekistan has carried out extensive work in the judicial-legal sphere, alongside all other fields. In particular, the Decree "On Measures to Further Reform the Judicial-Legal System and Strengthen Guarantees for the Reliable Protection of Citizens' Rights and Freedoms" was adopted. It would not be an exaggeration to say that the comprehensive measures taken to ensure the fulfillment of the tasks set forth therein have truly launched a new stage of reforms in the judicial-legal sphere.

In particular, ensuring the genuine independence of the judiciary and raising the standard of justice have been established as the main priority direction of state policy in reforming the judicial-legal system. In order to establish uniform judicial practice, the Supreme Court and the Supreme Economic Court were merged into a single supreme body of judicial power in the sphere of civil, criminal, administrative, and economic proceedings — the Supreme Court of the Republic of Uzbekistan.

With the aim of ensuring reliable judicial protection of the rights, freedoms, and legitimate interests of citizens and business entities, administrative courts were established with the authority to review complaints against unlawful actions (or

inaction) of state bodies and officials — that is, disputes arising from public legal relations.

The structure of the courts has also been improved in line with modern requirements: regional-level courts of general jurisdiction were established on the basis of regional and equivalent civil and criminal courts, as well as economic courts, while preserving the strict specialization of judges.

In order to create an effective system for judicial protection of investors' rights, provisions were introduced into procedural legislation concerning the jurisdiction of disputes arising from investment agreements between investors and state bodies in the economic sphere, as well as competition-related cases. A procedure was established under which, at the parties' discretion, disputes and competition-related cases involving major investors may be heard by the Supreme Court's judicial panel for investment disputes and competition cases.

The Supreme Qualification Commission for the Selection of Judges and Recommendation to Positions under the President of the Republic of Uzbekistan was dissolved, and the Supreme Judicial Council of the Republic of Uzbekistan was established as a body of the judicial community, tasked with helping ensure adherence to the constitutional principle of judicial independence in the Republic of Uzbekistan.

As noted by the President of the Republic of Uzbekistan in his Address to the Oliy Majlis on December 29, 2020, bold steps have been taken over the past four years to reform the judicial-legal sphere. More than 40 laws, decrees, and resolutions have been adopted on priority issues in this area, marking an important,

strategically significant step toward ensuring the rule of law and further reforming the judicial-legal system.

In particular, to ensure judicial independence, the Supreme Judicial Council was established. Likewise, the Supreme Court and the Supreme Economic Court were merged, improving the functioning of the Supreme Court. Regional economic courts were reorganized as economic courts, and 71 inter-district and district (city) economic courts were granted authority to hear cases at first instance. The term of judicial office was set at an initial five years, followed by a ten-year term, and then an indefinite term. The authority of courts to independently resolve their financial and material-technical matters was transferred from justice bodies to the Supreme Court. The institution of remanding criminal cases for supplementary investigation was abolished. It was firmly established that a person's guilt in committing a crime must be based solely on evidence proven in court proceedings. Torture, psychological and physical pressure, and other forms of violence were strictly prohibited.

To further strengthen guarantees of human rights in court proceedings and to realize the adversarial principle between parties, the institution of preliminary hearings was introduced in criminal courts. In the interest of transparency and openness in the work of courts, more than 10,000 criminal cases were heard in mobile (on-site) court sessions. The maximum periods for pretrial detention as a preventive measure and for preliminary investigation were reduced.

The introduction of a competitive selection mechanism for judicial candidates deserves special recognition. For the first time, the practice of broadcasting examinations for judicial candidates online was introduced. Furthermore, the

review of candidates being appointed to judicial positions for the first time is now conducted on a competitive basis. Undoubtedly, this new system for training a qualified and mature corps of judges and court staff serves to enhance public trust in judicial bodies, ensure the stability of justice and the rule of law, and truly transform the courts into a "bastion of justice," elevating the administration of justice to a higher level.

In addition, investment disputes and competition-related cases are now heard exclusively by economic courts. The right of prosecutors to participate in all economic court sessions was abolished. Henceforth, a prosecutor may participate only in cases specifically provided for by law or in cases initiated by a prosecutor's claim.

Another noteworthy aspect is the abolition of the supervisory review instance in judicial proceedings. By eliminating redundant judicial stages, the principle of "one court – one instance" was introduced, along with the practice whereby decisions of inter-district courts are reviewed on appeal by regional courts, while decisions issued by regional courts as courts of first instance are reviewed on appeal by the judicial panel of the Supreme Court of the Republic of Uzbekistan.

During the years of independence, the judicial-legal sphere in our country has been reformed, and a legal framework aimed at ensuring judicial independence has been established. A legal system based on the primacy of human rights, freedoms, and legitimate interests has taken shape.

In recent years especially, consistent efforts have been made to further improve the judicial-legal system, strengthen measures for the reliable protection

of citizens' rights and legitimate interests, effectively ensure justice, and guarantee the genuine independence of the courts.

As a result of this work, it would not be an exaggeration to say that the level of human rights protection in the administration of justice has reached a new stage.

The changes and reforms being carried out across all spheres in our country serve, first and foremost, the noble goal of realizing the interests, aspirations, and good intentions of the individual. This is aimed at guaranteeing the implementation of the constitutional principles of the primacy of human rights and the state's protection of every individual.

In his Address to the Oliy Majlis on December 29, 2020, the President of the Republic of Uzbekistan also declared that reforms aimed at reliably protecting human rights and freedoms and ensuring the rule of law would continue consistently in 2021.

In the Address, the President stated that justice is the firm foundation of statehood, and that the judiciary plays a decisive role in ensuring justice and the rule of law.

It was noted that the principle of "one court – one instance," to be introduced starting in 2021, would serve as the primary criterion for ensuring that court decisions are fair, lawful, and stable.

The introduction of this principle into legislation was established by Presidential Decree No. PF-6034 of July 24, 2020, "On Additional Measures to Further Improve the Work of Courts and Increase the Effectiveness of the Administration of Justice."

These reforms are enabling the country's judicial-legal system to reach a qualitatively new stage, ensuring the reliable protection of citizens' rights, freedoms, and legitimate interests, and further strengthening public trust in the administration of justice.

Here is a reference list of the legal acts and sources cited in the article:

References

1. Decree of the President of the Republic of Uzbekistan "On Measures to Further Reform the Judicial-Legal System and Strengthen Guarantees for the Reliable Protection of Citizens' Rights and Freedoms."
2. Presidential Decree No. PF-6034, dated July 24, 2020, "On Additional Measures to Further Improve the Work of Courts and Increase the Effectiveness of the Administration of Justice."
3. Address of the President of the Republic of Uzbekistan Shavkat Mirziyoyev to the Oliy Majlis, December 29, 2020.