
SPECIALIZATION OF COURTS IN UZBEKISTAN (HISTORICAL ANALYSIS)

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Annotation:

This article explores the specialization of the judicial system in Uzbekistan from a historical perspective. Specialized courts—economic, administrative, criminal, and civil courts—are considered a significant component of the judicial-legal reforms in the country. The article analyzes the process of specialization within the judicial system, its historical stages, reforms, adopted legal norms, and the effectiveness of specialized courts. Additionally, it examines the achievements and challenges faced in enhancing the efficiency of court proceedings, protecting citizens' rights, and establishing a fair judicial system through the introduction of specialized courts.

Keywords: Uzbekistan, judicial system, specialized courts, historical analysis, judicial reforms, legal norms, justice, civil rights, court proceedings, efficiency.

Ensuring transparency in the judiciary and thoroughly reforming its activities in our republic, several decrees have been adopted. Notably, on August 2, 2012, the President of the Republic of Uzbekistan issued a decree titled "On Measures to Radically Improve the Social Protection of Court System Employees."

As of January 25, 2012, 205 positions (24.3%) in general jurisdiction courts were vacant, with 843 positions supposed to be staffed according to the table of organization, but only 638 judges (75.7%) were working. Specifically, 111 positions in criminal courts, 82 in civil courts, and 9 in military courts remained vacant.

In the Supreme Court of the Republic of Karakalpakstan for criminal cases, out of the 29 positions supposed to be filled, 11 (38.0%) were vacant. In the Jizzakh regional court for criminal cases, 8 out of 24 positions were vacant. Efforts to create a reserve of morally upright, ethically sound, and highly



E- Global Congress

Hosted online from Dubai, U. A. E., E - Conference.

Date: 29th October 2024

Website: <https://eglobalcongress.com/index.php/egc>

ISSN (E): 2836-3612

qualified candidates for judicial positions have not been sufficient. Moreover, the selection process for judicial candidates has not adequately considered candidates' background, citizenship, and residence. All chairmen of regional and equivalent courts have been formally notified to address these shortcomings and recommend suitable candidates for vacant judicial positions.

On December 11, 2012, a conference of judges of the Republic of Karakalpakstan for criminal cases was held. Participants included the Chairman of the Supreme Court, P. Khojabekov; Deputy Chairman A. Adilov; and judges Kh. Asanov and B. Urumbayev, who were elected as members of the Qualification Board. The election was conducted in accordance with the "Regulations on the Higher Qualification Commission for the Selection and Recommendation of Judges to the Positions under the President of the Republic of Uzbekistan." Documents of 23 candidates for the reserve of judges to be appointed for the first time were submitted to the Higher Qualification Commission.

On August 6, 2013, an announcement was published in the Erkin Karakalpakstan newspaper regarding the formation of a reserve of judicial personnel. It was planned to include highly qualified, experienced, and reputable legal professionals in the reserve. The announcement was also broadcast on the "Karakalpakstan" TV and radio channels starting from September 24, 2013, every Wednesday.

On January 21, 2013, during the 16th regular conference of the Qualification Board of Judges, the annual report for 2012 was reviewed. The board's performance was deemed satisfactory, considering the critical remarks made, the tasks completed, and future objectives identified.

Court protocols were found to be improperly filled out, and copies of verdicts were not delivered to defendants on time. For example, in the Bekabad City Criminal Court, the session minutes related to the cases of M. Juraev (sentenced on September 10, 2013), Q. Hakimov (sentenced on September 25, 2013), and Sh. Pulatova, among others, were either not written or not signed by the presiding judge. Additionally, the copies of verdicts in these cases were not delivered to the defendants within the legally prescribed timeframes, and the verdicts were not enforced.

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Furthermore, the documentation required for the first instance criminal cases by the clerical office of the Bekabad City Criminal Court was found to be incomplete. The accounting forms lacked essential details, such as the number of times the case had been submitted to the court, the date of the decision to consider the case, the date of the court hearing, whether the case was heard in a traveling session, and whether the case involved the participation of a prosecutor, defense attorney, or other parties. Additionally, information about the verdict, judgment, enforcement, and the dates when the verdict or judgment came into force was missing.

On July 25, 2013, the Presidium of the Syrdarya Regional Court discussed the results of an internal investigation concerning the staff of the Gulistan City Criminal Court. An urgent meeting was held on January 31, 2013, with the participation of judges from the regional, district, and city criminal courts of Syrdarya. During this meeting, judges were instructed to remain committed to their oath of office, perform their duties honestly and conscientiously, act impartially and fairly, and maintain the dignity of the court. The chairman of the regional court warned all judges that disciplinary or more severe measures could be taken if they failed to comply with these requirements, and written undertakings were obtained from each judge.

Furthermore, on March 25, 2013, a meeting was held with judges and judicial candidates organized by the Qualification Board of Judges for the Syrdarya Regional Criminal Courts. Changes or reversals of court decisions were discussed at these rapid response meetings, and reasons for such changes or reversals were communicated to all judges. Judges were warned that any future violations of the law would result in disciplinary action. In Namangan, educational seminars were conducted according to a plan with judges from regional, district, and city courts.

On August 17, September 21, October 19, November 23, and December 21, 2013, training seminars were held with newly appointed candidates for the position of judge in the Namangan Regional Criminal Courts. Similarly, on June 15 and December 21, 2013, training sessions were conducted with elected people's advisors in the Namangan regional and district (city) criminal courts.

According to clause 27 of the "Regulations on the Qualification Boards of Judges," documents for granting the second qualification level to A.

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Muminov, a judge of the Namangan Regional Criminal Court, were sent to the Higher Qualification Board of Judges for General Jurisdiction Courts of the Republic of Uzbekistan on February 14, 2013.

On January 21, 2013, a conference of judges from the Bukhara Regional Courts was held, during which information was presented on the activities carried out by the board during 2012. In 2013, a total of 17 documents were submitted to the Higher Qualification Commission for inclusion in the reserve of judicial personnel: 2 from internal affairs, 5 from the prosecutor's office, 3 from the court, 2 from the Court Department, 2 from the tax authorities, 1 from customs officials, and 2 from lawyers.

Despite the adoption of a number of regulatory documents aimed at ensuring the independence of courts, there were cases of harassment of judges by various administrative and military agencies. Also, cases of attempts to violate the independence of judges were observed, and it was found that there were "telephone calls" from above that influenced decision-making.

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