

ISSUES OF IMPROVING THE ACTIVITIES OF THE PROSECUTOR'S OFFICE IN THE REPUBLIC OF UZBEKISTAN

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ABSTRACT: At the moment, we can talk about a very large number of functions, tasks and powers of the prosecutor's office. Developing as a separate system in the mechanism of the state, the Prosecutor's office is endowed with the rights both to conduct an investigation and to act as a party to the prosecution in court, and is endowed with issues of support for citizens and organizations in civil and economic courts. Also, the Prosecutor's office is not deprived of a law-making function, where the Prosecutor General can take an active legislative initiative. In this research work all above are studied.

KEYWORDS: Prosecutor's office, presecution, economic courts, execution

INTRODUCTION

Optimization of the activity of the Prosecutor's office is a set of organizational and legal measures aimed at improving the activities of the prosecutor's office, exemption from unnecessary and unnecessary functions.

At the moment, we can talk about a very large number of functions, tasks and powers of the prosecutor's office. Developing as a separate system in the mechanism of the state, the Prosecutor's office is endowed with the rights both to conduct an investigation and to act as a party to the prosecution in court, and is endowed with issues of support for citizens and organizations in civil and economic courts. Also, the Prosecutor's office is not deprived of a law-making function, where the Prosecutor General can take an active legislative initiative. However, despite such a number of functions, the activities of the prosecutor's office in many respects

remain not systematized from a legal point of view, and therefore there is a need to optimize it, i.e. simplify and direct it to a more practical course of work.

The focus of the Prosecutor's Office on the comprehensive implementation of activities to protect the national state interests of the Republic of Uzbekistan, the rule of law and the rule of law presupposes the inclusion in its sphere, in addition to the function of supervision over the execution of laws, all other functions of the prosecutor's office. At the same time, the most intensive burden of the prosecutor's office falls on the implementation of the functions of criminal prosecution, coordination, international cooperation, participation in law-making activities.

The inclusion in the sphere of activity of the Prosecutor's office for the protection of national state interests of the function of coordinating the activities of law enforcement agencies seems to be absolutely necessary due to the high urgency of consolidating their efforts to combat the most dangerous forms of encroachment on these interests. [1]

THE MAIN FINDINGS AND RESULTS

It is necessary to ensure a comprehensive approach in the fight against offenses and, first of all, crimes. With regard to prosecutorial supervision of the execution of laws, an integrated approach can mean: comprehensive, purposeful and active use by the prosecutor of all legal means at his disposal; coordination of supervision in the area under consideration with other branches of prosecutorial supervision and all participants in the activities of the prosecutor's office; close linking of supervisory work with preventive activities; constant and close interaction of prosecutors with representative and executive authorities, law enforcement, regulatory and other bodies, as well as with public formations on strengthening the rule of law; linking supervisory measures with the most important socio-economic, environmental and other tasks being solved in the region (district, city, region).

The achievement of an integrated approach can also be facilitated by: close linking of supervisory activities with preliminary investigation in criminal cases and, in particular, conducting prosecutor's inspections simultaneously with the preliminary investigation; conducting joint inspections with control bodies and other bodies; active exercise by the prosecutor of the right to instruct law enforcement, regulatory and other bodies to conduct inspections. Thus, we are talking about creating a single, well-coordinated front for the fight against offenders.

The increase in the effectiveness of prosecutorial supervision over the execution of laws is associated with the improvement of the management (management) of supervisory activities by higher prosecutor's offices.

It can go in the following directions:

- timely, prompt correction of supervisory activities, aiming it at solving the main, key tasks of strengthening the rule of law, preventing offenses;
- improvement of the analysis of supervisory activities and timely communication of the results of the analysis to lower-level prosecutors;
- timely adoption of measures to eliminate errors and omissions in the work committed by lower-level prosecutors;
- improvement of methodological assistance to lower-level prosecutors;
- preparation of more advanced methodological manuals, developments, instructions, letters and provision of prosecutors with them;
- improving the dissemination of positive work experience;
- improvement of control over the introduction into practice of the latest achievements of science and practice, advanced methods and techniques for detecting and eliminating offenses;
- development of initiative, independence and combativeness among lower-level prosecutors. At the same time, the main efforts should be directed to providing effective assistance to prosecutors of districts and cities in organizing prosecutorial supervision of the execution of laws on a scientific basis.

In terms of improving the methodological skills of low-level prosecutors, good results can be obtained by employees of regional and equal prosecutor's offices conducting demonstration (training) inspections of the implementation of laws. We are talking about training in the conditions of a real test.

The next direction is the improvement of tactics and methods for detecting violations of laws and establishing the circumstances that contribute to them. First of all, it is necessary to improve the quality of prosecutor's checks, which, unfortunately, is not always high.

Prosecutors do not always prepare for inspections, as a result of which they are sometimes conducted superficially and violations of laws are not detected, the circumstances contributing

to violations are not established. The elimination of these and other shortcomings will contribute to improving the quality of prosecutor's checks.

This can also contribute to:

- complex application of various verification actions by prosecutors;
- the use of various techniques and methods, including forensic;
- active involvement of specialists in inspections;
- conducting inspections jointly (simultaneously) with other law enforcement agencies, regulatory and other bodies;
- conducting complex inspections, i.e. inspections of the implementation of several laws. In addition, the improvement of the current and the development of new private methods of conducting inspections will contribute to improving the quality of inspections.

Improving the practice of prosecutors' response to violations of laws can also contribute to improving the effectiveness of prosecutorial supervision over the implementation of laws.

Improvement of the response practice can go in the following directions •

- improvement of the procedure for introducing acts of prosecutorial supervision, active use of all legal means and acts of response;
- combination of written and oral forms of response;
- increasing the acuteness of the prosecutor's response;
- improving the structure and quality of the acts of prosecutorial supervision;
- strengthening of control by prosecutors over the implementation of the submitted response acts;
- systematic generalization (analysis) of response practices;
- improving the professional skills of prosecutors. All forms of professional development of prosecutors can contribute to this.

In addition, further improvement of the legislation regulating the organization and activities of the prosecutor's office, as will be discussed in the next paragraph of this chapter, can contribute to improving the effectiveness of prosecutorial supervision, as well as all the multifaceted activities of the prosecutor's office. It is clear that the improvement of the entire legislative array of Russia and, in particular, the elimination of gaps in the legal regulation of certain public relations, discrepancies, duplication, and its codification will ultimately contribute to improving the effectiveness of prosecutorial supervision of the execution of laws.

Prosecutors should use all the means (opportunities) at their disposal to increase the effectiveness of prosecutorial supervision over the execution of laws, which will undoubtedly contribute to strengthening the rule of law and the rule of law both in the regions and in the country as a whole.

In order to strengthen the legal mechanisms for protecting the rights and interests of business entities, ensuring guarantees of legality in their activities, improving the investment climate and business environment in the republic, as well as optimizing the activities of the prosecutor's office by eliminating tasks and functions unusual for them, the following was established from April 1, 2019:

- coordination of inspections of the activities of business entities and control over the legality of their conduct by regulatory bodies are carried out by the Commissioner under the President of the Republic of Uzbekistan for the Protection of the Rights and Legitimate Interests of Business Entities (hereinafter - the Commissioner for the Protection of the Rights of Entrepreneurs);
- decisions of the Commissioner for the Protection of the Rights of Entrepreneurs regarding the conduct of inspections of the activities of business entities are mandatory for the regulatory authorities;
- The Chamber of Commerce and Industry participates in ensuring the activities of the Commissioner for the Protection of the Rights of Entrepreneurs in the field of coordinating inspections of the activities of business entities by exercising public control over the legality of inspections in the activities of business entities conducted by regulatory authorities.

It should be noted that in the exercise of his powers, the Commissioner for the Protection of the Rights of Entrepreneurs:

- monitors compliance by regulatory authorities with the requirements of legislation in the field of inspections of the activities of business entities;
- considers and studies the validity of requests from regulatory authorities to conduct inspections of the activities of business entities;
- makes decisions on the permission or refusal to conduct inspections of the activities of business entities, as well as the extension or postponement of their deadlines;
- takes measures to bring to justice the guilty officials of regulatory authorities for violating legislation in the field of conducting inspections of the activities of business entities, etc. [2]

President of the Republic of Uzbekistan Shavkat Mirziyoyev signed a decree "On measures to radically improve the system of business protection and optimize the activities of the Prosecutor's Office."

According to the document, from April 1, 2019:

- coordination of inspections of the activities of business entities and control over the legality of their conduct by regulatory authorities are carried out by the Presidential Commissioner for the Protection of the rights and legitimate interests of business entities;
- Decisions of the Commissioner for the protection of the rights of entrepreneurs regarding the conduct of inspections of the activities of business entities are mandatory for the regulatory authorities;
- The Chamber of Commerce and Industry participates in ensuring the activities of the Commissioner for the protection of the rights of entrepreneurs in the field of coordinating inspections of the activities of business entities by exercising public control over the legality of inspections in the activities of business entities conducted by regulatory authorities. [3]

CONCLUSION

The unified system of electronic registration of inspections is transferred from the jurisdiction of the Prosecutor General's Office to the jurisdiction of the Commissioner for the Protection of the Rights of Entrepreneurs.

In the system of the Prosecutor's Office of Uzbekistan, the following are abolished:

- two units of positions of Deputy Prosecutor General;
- Department for Legal Protection of Entrepreneurship and Investments of the Prosecutor General's Office;
- the Department for supervision of the execution of decisions of the President of the Prosecutor General's Office and its territorial departments;
- the Department for Supervision of the implementation of legislation in the field of tax and customs reforms of the Prosecutor General's Office and its territorial departments and other positions. [4]

The Inspection for the control of the agro-industrial complex and ensuring food Security is transferred to the jurisdiction of the Cabinet of Ministers, while maintaining the current funding procedure. The Agency will be transformed into the Inspection for the Control of the Agro-Industrial Complex under the Cabinet of Ministers.

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