

## **LEGAL STATUS, PURPOSE AND DUTIES OF THE PROSECUTION BODIES**

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**Abstract:** this article describes in detail the legal status, purpose, tasks and main directions of the prosecutor's office, as well as the legal documents that are important in the organization of the prosecutor's office.

**Keywords:** prosecutor's office, legal status, regulation, warrant, application, preliminary investigation, protest, etc.

Before talking about the goals and tasks of the prosecutor's office, it is appropriate that we have touched on the concept of the legal status of these bodies.

If we express the concept of legal status in simple language, the legal existence of a certain subject and the norms determining this existence constitute the concept of legal status. The Republic of Uzbekistan is established by the Law of the Republic of Uzbekistan No. 257-II "On the Prosecutor's Office". In this regard, Chapter XXV of the Constitution of the Republic of Uzbekistan is dedicated to the prosecutor's office.

In general, we can see below the legal documents that have become important in the organization of prosecutor's offices:

1. *Decree of the President of the Republic of Uzbekistan No. PF-313 of January 8, 1992 "On the bodies of the Prosecutor's Office of the Republic of Uzbekistan";*
2. *Decree of the President of the Republic of Uzbekistan No. PF-355 of January 28, 1992 "On Military Tribunals and Military Prosecution Authorities";*
3. *Constitution of the Republic of Uzbekistan dated December 8, 1992;*
4. *Law of the Republic of Uzbekistan "On the Prosecutor's Office" of December 9, 1992 No. 746-XII (initial);*
5. *Decision No. 747-XII of December 9, 1992 of the Supreme Council of the Republic of Uzbekistan on the implementation of the Law of the Republic of Uzbekistan "On the Prosecutor's Office";*
6. *Resolution No. 468 of September 19, 1993 of the Cabinet of Ministers of the Republic of Uzbekistan "On improving the material and technical support of prosecutor's offices and increasing the number of staff" (now invalid);*
7. *Decree of the President of the Republic of Uzbekistan No. PF-2277 dated March 30, 1999 "On the establishment of the Military Prosecutor's Office of the Republic of Uzbekistan";*
8. *Law of the Republic of Uzbekistan No. 257-II dated August 29, 2001 on amendments and additions to the Law of the Republic of Uzbekistan "On the Prosecutor's Office";*

9. *Resolution No. 415 of November 28, 2002 of the Cabinet of Ministers of the Republic of Uzbekistan "On measures to improve the activities of the department for combating tax crimes under the General Prosecutor's Office of the Republic of Uzbekistan";*

10. *Decision No. 29-I of May 6, 2005 of the Senate of the Oliy Majlis of the Republic of Uzbekistan "On approval of the regulations of the Senate of the Oliy Majlis of the Republic of Uzbekistan";*

11. *Decree of the Republic of Uzbekistan "On amendments and additions to certain legal documents of the Republic of Uzbekistan in connection with the transfer of the right to sanction detention to the courts" of July 11, 2007- Law No. 100.*

These documents are of great importance in the formation of the legal status of the prosecutor's office. In particular, in the Decree of the President of the Republic of Uzbekistan "On the bodies of the Prosecutor's Office of the Republic of Uzbekistan" dated January 8, 1992 No. PF-313, the Prosecutor's Office of the Former Union of Uzbekistan in the Republic of Uzbekistan It was transformed into the Prosecutor's Office of the Republic. Through this, the legal status of prosecutor's offices began to be formed. But at that time, there were still many shortcomings, and several changes and additions were required.

The Constitution of the Republic of Uzbekistan adopted on December 8, 1992 further strengthened the legal status of prosecutor's offices.

In particular, as we noted above, Chapter XXV of our Constitution, i.e. Articles 143, 144, 145 and 146, strengthened the legal status of prosecutor's offices. It should be noted that even though 15 amendments and additions have been made to our general dictionary, since 1992 the part of the prosecutor's office has remained unchanged.

In particular, the General Prosecutor of the Republic of Uzbekistan and subordinate prosecutors exercise control over the clear and uniform implementation of laws on the territory of the Republic of Uzbekistan.

The unified centralized system of prosecution bodies is headed by the Prosecutor General of the Republic of Uzbekistan. The prosecutor of the Republic of Karakalpakstan is appointed by the supreme representative body of the Republic of Karakalpakstan in agreement with the Prosecutor General of the Republic of Uzbekistan. Prosecutors of regions, district and city prosecutors are appointed by the Prosecutor General of the Republic of Uzbekistan. The term of office of the Prosecutor General of the Republic of Uzbekistan, the prosecutor of the Republic of Karakalpakstan, regional, district and city prosecutors is five years.

The same person cannot hold the position of the Prosecutor General of the Republic of Uzbekistan for more than two consecutive terms. Prosecutor's offices of the Republic of Uzbekistan exercise their powers independently of other state bodies, other organizations, and officials, subject only to the Constitution and laws of the Republic of Uzbekistan. Prosecutors suspend membership in political parties and other public associations with political goals during their term of office. Organization of prosecutor's offices, their powers and procedure of operation are determined by law.

It is prohibited to establish and operate private organizations, public associations and their units that independently carry out rapid search, investigation and other special tasks in the fight against crime in the territory of the Republic of Uzbekistan. Public organizations and citizens can provide assistance to law enforcement agencies in protecting legality and legal order, rights and freedoms of citizens.

Law No. 257-II dated August 29, 2001 on amendments and additions to the Law of the Republic of Uzbekistan "On the Prosecutor's Office" on" was adopted.

The new version of the law was rich in a number of changes and additions. In particular, in the old version, the prosecutor's offices of the Republic of Uzbekistan should form a single centralized system headed by the Prosecutor General of the Republic of Uzbekistan, in the order of subordinate prosecutors to the prosecutors of the higher level, control and their powers from the state authorities and local authorities, independently of officials, public associations, strictly complying with the laws, international and interstate agreements (agreements) in force in the territory of the Republic of Uzbekistan, and subjecting them only to the Prosecutor General of the Republic of Uzbekistan, the state of legality and crime, the main on directions, ensuring compliance with laws by management agencies, maintaining state and public order, and protecting the rights of citizens, depending on the President of the Republic of Uzbekistan, Supreme Leader of the Republic of Uzbekistan To inform the Majlis, the higher authorities of the state power of the Republic of Karakalpakstan, the governments of the Republic of Uzbekistan and the Republic of Karakalpakstan, local councils of people's deputies, governors, on the protection of the rights and freedoms of citizens, as well as state secrets and protection by law it was shown that they conduct business in a manner that does not conflict with the requirements of the law on keeping other secrets. In the new edition, it is indicated that the activities of the Prosecutor's Office are organized and implemented on the basis of the main principles of unity, centralization, legality, independence and transparency.

Also, the employees of the Prosecutor's Office should suspend membership of political parties during their term of office, the prosecutors of the Republic of Karakalpakstan, regions, Tashkent city, districts and cities shall annually submit to the Dzhokorg Council of the Republic of Karakalpakstan, people's deputies It is indicated that they should submit a report on their activities to their councils, and, if necessary, inform the citizens' self-government bodies about the state of legality and the fight against crime. Also, the public prosecutor's office regularly informs the public about its activities related to the control of the execution of laws and the fight against crime, by ensuring the use of information about its activities by individuals and legal entities in accordance with the procedure established by law. It is also mentioned that he should carry out his activities openly. In addition to the above, we can say that in the new version, the authority of the prosecutor to issue an order to put an end to cases of flagrant violations of the law has been canceled.

In general, the decree was completely removed in the new version. So what was the commandment itself?

Article 28 of the Law of the Republic of Uzbekistan "On the Prosecutor's Office" dated December 9, 1992 No. 746-XII provides a detailed explanation of the prosecutor's mandate.

According to it, the order to eliminate the violation of the law is sent by the prosecutor to the office or official who committed this violation, or to a higher office or official capable of eliminating this violation.

In cases where the violation of the law is clearly visible and it can cause serious damage to the rights and legal interests of citizens, the state, enterprise, institution, organization. The order should be executed immediately and the prosecutor should be informed about it.

In case of dissatisfaction with the requirements of the decree, an office or an official may appeal against this decree to a higher-ranking prosecutor. The prosecutor must consider the complaint within three days. Complaint does not stop the execution of the decree.

In addition, we can say that in the new version of the Law of the Republic of Uzbekistan "On the Prosecutor's Office" an application for prosecutor's control documents is included. In particular, according to Article 49 of the new version of the law, the prosecutor has the right to apply to the court to protect the rights and legal interests of citizens, legal entities and the state. In the old version, this prosecutor's control document was not shown, instead of the application, a warrant was shown. In general, we can say that with the cancellation of the decree, the independence of the judicial bodies has been further strengthened, because by this, cases of direct interference in the work of the judicial bodies by the prosecutor's office have been prevented.

The new version of the Law of the Republic of Uzbekistan "On the Prosecutor's Office" specifies the main tasks of the prosecutor's office.

According to it, it consists in ensuring the rule of law, strengthening legality, protecting the rights and freedoms of citizens, the interests of society and the state protected by law, the constitutional system of the Republic of Uzbekistan, prevention and prevention of violations.

Article 4 of this law is devoted to the main areas of activity of prosecutor's offices.

- In particular, the prosecutor's office performs its activities in the following main directions:
- control over the implementation of laws by ministries, agencies, self-government bodies of citizens, public associations, enterprises, institutions, organizations, governors and other officials;
- control over the implementation of laws aimed at ensuring the rights and freedoms of citizens;
- Control over compliance with laws in the Armed Forces of the Republic of Uzbekistan, military structures of ministries and agencies; tezkor-qidiruv control over the implementation of laws by the bodies that carry out activities, pre-investigation, investigation, preliminary investigation, and coordination of their activities in the fight against crime;
- conducting a preliminary investigation of crimes;
- supporting the state prosecution when criminal cases are being considered in the courts, participating in the consideration of civil cases, cases of administrative offenses and economic disputes in the courts, protesting court documents that contradict the laws;
- control over the implementation of laws aimed at strengthening tax discipline, combating crimes and violations in the field of tax and currency, as well as compensation for economic damage caused to the state;
- control over the observance of laws during the enforcement of criminal punishments and other measures of criminal-legal influence in places of detention of detainees, prisoners;
- participation in law-making activities and raising legal culture in society.

Procuratorate bodies exercise control over the implementation of laws in the field of public administration, create conditions for the fulfillment of tasks such as meeting the needs of citizens facing society and the state, improving their material support, ensuring the rights and legal interests of citizens. In other words, the prosecutor exercises his powers in the field of general supervision and solves political, economic, social, national and cultural issues together with other bodies and organizations.

On June 22, 2004, the order of the Prosecutor General No. 25 on improving the effectiveness of the prosecutor's office to protect the rights and freedoms of citizens, the interests of society and the state, and according to it, the socio-economic situation in our country and at a time when radical changes are being implemented in the political spheres, it is noted that important and responsible tasks have been assigned to the prosecutor's office in order to improve the legal culture and the formation of a democratic legal state.

In particular, in the order, an important task of the supervision of the prosecutor's office of the Republic of Uzbekistan is to ensure the rule of law in the territory of the republic, to strengthen the social, economic, political, personal rights and freedoms of people and citizens, the equal rights of all nations and peoples, social justice and legality in society. It is indicated that the Constitutional system of the Republic of Uzbekistan is considered to be the protection of the interests of the society and the state protected by law.

In general, in order to fully implement the goals and tasks of the Prosecutor's Office, the number of posts and salaries have been increased, encouraging and supporting the employees of the Prosecutor's Office.

In particular:

- Resolution No. 339 of July 3, 1997 of the Cabinet of Ministers of the Republic of Uzbekistan "On setting a twenty percent premium to the salaries of civil servants";
- Decree of the President of the Republic of Uzbekistan No. PF-3178 of December 20, 2002 "On increasing the salaries of the employees of the prosecutor's office";
- We can mention the Law of the Republic of Uzbekistan "On establishing the day of the prosecutor's office of the Republic of Uzbekistan" No. ORQ-414 of December 19, 2016 and others.

Since the end of 2016, January 8 has been celebrated as the day of the employees of the prosecutor's office of the Republic of Uzbekistan.

In conclusion, the legal status of the prosecutor's office is mainly determined by the Constitution of the Republic of Uzbekistan, the Law of the Republic of Uzbekistan "On the Prosecutor's Office" and other legal documents. The prosecutor's office fulfills its tasks and goals, such as ensuring the rule of law, strengthening legality, protecting the rights and interests of individuals and the constitutional system of the Republic of Uzbekistan, preventing and preventing violations.

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