DEVELOPMENT OF THE JUDICIAL SYSTEM AND INDEPENDENCE IN THE REPUBLIC OF UZBEKISTAN: NATIONAL AND FOREIGN EXPERIENCE

Asadova Zulayho Komiljon qizi
Master's student of Tashkent State Law University

ABSTRACT

This article provides a small study of the national and foreign experience in the development of the judicial system and independence in the Republic of Uzbekistan, as well as the reforms of recent years. The results are analyzed.

KEY WORDS: Independence, Courts, constitution, judicial system, protection, interest, justice, reform.

INTRODUCTION: All tribunals and courts should be independent of the executive and legislative the authorities, as well as from the parties in the litigation. This means that neither the judiciary nor the judges, from which it consists of, cannot depend on other branches of government or on the parties in the trial. Courts should also be truly independent, as well as free from any form of influence or pressure from parties to other branches of government or anyone else[1].

Independence of the judiciary power must be guaranteed by the Constitution, laws and policies of the country and must practice carried out by the executive branch, its bodies and representatives, as well as the legislative branch of government. Judicial branch must have jurisdiction over all matters judicial nature and exclusive right determine whether the submitted consideration of an issue within its sphere of competence, defined by law. Should not be allowed no inappropriate or unlawful interference with the legal process.

The decisions of the courts are not may be subject to revision
(except Section Constitutional law 26supervisory procedure), commutation of the sentence or pardons, except when exercised by the competent authority in accordance with the law. The judiciary should have jurisdiction over all matters of a judicial nature and the exclusive right to determine whether a matter submitted to it falls within its scope, competence defined by law. Shouldn't any inappropriate and unlawful interference in the judicial process shall be allowed.

Court decisions cannot be subject to revision (except for the supervisory order), mitigation sentence or pardon, unless this is done by the competent authorities in accordance with the law. The judiciary should be independent from the point of view of the internal structure of the judicial administration, including the distribution of cases among judges within the court to which they belong. The term "independence judges "has two dimensions: institutional independence and personal independence [5-7]. Executive appointments or popular election of judges undermine independence the judiciary. Criterion for the appointment of persons for judicial positions should be their suitability for the occupation of this position, based on on professionalism, abilities, legal knowledge and related training in rights[2].

The relevance of the chosen article lies in the fact that the judiciary, as one of the three branches of government is one of the driving forces of the modern state. The reform of the judicial and legal system was carried out consistently and step by step, in close
relationship with fundamental transformations in the field of state and social construction. A new milestone in the development and further formation of an independent and effective judicial system was the publication of the Decree of the President of the Republic dated February 21, 2017 No. UP-4966 "On measures to radically improve the structure and increase the efficiency of the judicial systems of the Republic of Uzbekistan ".

In accordance with the structural changes in the judicial system, the Supreme Economic Court of the Republic of Uzbekistan is merged with the Supreme Court of the Republic of Uzbekistan, which became a single supreme judicial authority in the field of civil, criminal, administrative and economic proceedings[3].

MATERIALS AND METHODS: Administrative courts have been created, empowered to consider disputes arising from public law relations and administrative offenses. Commercial courts were renamed into economic courts with the creation of interdistrict economic courts. At the same time, 71 inter-district (district, city) economic courts were additionally created, who consider disputes between business entities in the first instance, and the existing economic courts of the regions, the city of Tashkent and the Republic of Karakalpakstan transformed into courts of second instance. The Military Collegium of the Supreme Court was liquidated, the Judicial Collegium for Administrative Cases of the Supreme Court of the Republic was created Uzbekistan.

At the same time, reforms were carried out taking into account the generally recognized norms of international law, as well as the rich historical experience of national statehood, customs and traditions of our people. Justice and transparency trials to date factors that affect the overall picture of the independence of our country as a whole, which in turn is the driving factor recognition of our state as international community.

The Basic Law of the Republic of Uzbekistan proclaimed that the judiciary in the Republic of Uzbekistan operates independently of legislative and executive authorities, political parties, other public associations. According to the Law of the Republic of Uzbekistan "On Courts", justice in the Republic of Uzbekistan carried out only by the court. The court is called upon to exercise judicial protection of the rights and freedoms of citizens, proclaimed by the Constitution and others, laws of the Republic of Uzbekistan, international acts on human rights, rights and legally protected interests of enterprises, institutions and organizations. The activities of the court are directed to ensure the rule of law, social justice, civil peace and harmony. The independence of the judiciary is guaranteed[5].

RESULTS: The Constitution of the Republic of Uzbekistan: “The judiciary in the Republic of Uzbekistan operates independently of the legislative and executive powers, political parties, other public associations. Judges must be independent and obey only the law. Any interference with activities judges to administer justice in accordance with the Constitution is unacceptable and entails responsibility under the law. Immunity of judges guaranteed by law "Thus, the Republic of Uzbekistan has reaffirmed its commitment to its international obligations in the field of human rights, and the obligation to comply with international contracts to which she joined. Awareness of Civil Society Institutions on their rights to participate in solving issues of state and local importance, mastering the skills of implementing various forms public control over the implementation of laws and other normative legal acts - the most important element of the culture of human rights both in society as a whole and in each individual.

One of the important conditions for strengthening guarantees for the protection of
human rights and freedoms in the country is to increase the level of knowledge of
government officials and, above all, lawyers on human rights and freedoms. For this
purpose, special attention is paid to ensuring the rights of citizens to education, creating
equal conditions and opportunities for entering a university for all persons. Currently
approved by the Regulation
on the procedure for admitting foreign citizens to the bachelor's degree at the Tashkent State University of Law.

**DISCUSSION:** The Action Strategy for the five priority directions of
development of the Republic of Uzbekistan in 2017-2021, priority areas for reforming the
judicial and legal system identified increasing citizens' access to justice, ensuring true
independence the judiciary, strengthening the guarantees of reliable protection of human
rights and freedoms.

Fundamental changes associated with the reform of the judicial and legal sphere
included in 7 articles of the Constitution of the Republic of Uzbekistan.

For fundamental improvement systems for the selection of candidates and
appointments for positions of judges, the formation of a highly qualified judicial corps
formed new body of the judicial community - the Supreme Judicial Council of the Republic
of Uzbekistan. The resident set a goal - to strengthen the confidence of the people to the
judicial system by protecting rights and freedoms citizens, turn the court into a true "Abode
justice ".

The most important task is named the formation of a judiciary capable of make well-
thought-out fair decisions.

In order to prevent crime among young people, to increase attention to their moral
and spiritual education, warning them against the negative impact of various extraneous
currents in the internal organs affairs introduced the position of deputy chiefs district (city)
administrations (departments) internal affairs on youth issues - heads of departments
(divisions) of prevention offenses.

Another of the main priority areas of reforming the internal affairs system is the
radical improvement the institution of crime prevention, as the main direction of the fight
against crime . In order to ensure early prevention and prevention of offenses, wide
involvement of citizens' self-government bodies, civil society institutions and population in
preventive measures, the Republican Interdepartmental Commission on prevention of crime
and delinquency, specific criteria for assessing the effectiveness of crime prevention
activities and a mechanism for encouraging and incentivizing prevention inspectors who
have achieved high results in their activities[6].

**CONCLUSION:** According to innovations a simplified admission system was
introduced foreign citizens in the undergraduate degree of the university. To date, TSUL are
studying foreign students from Japan, South Korea, China, Turkmenistan, Kazakhstan and
other countries.

Among the students are Russians, Karakalpaks, Kazakhs, Tajiks, Kyrgyz, Turkmens,
Azerbaijanis, Koreans, Tatars and representatives of other nations and nationalities.
Collaboration with leading educational institutions of foreign countries. In September 2017,
a Memorandum of Understanding was signed between TSUI and Boston College Law
School, directions of cooperation in the preparation and improvement of qualifications of
legal personnel. Cooperation with foreign educational institutions contributes to wider
implementation modern international standards in the field of legal training. Future lawyers already in the process of training receive all necessary knowledge of human rights.

REFERENCES: