THEORETICAL AND LEGAL ISSUES OF THE PROSECUTOR'S OFFICE IN THE
STATE MECHANISM

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Abstract

The importance of a deep and comprehensive study of the place of the
prosecutor's office in the mechanism of our state from the point of view of the
separation of powers and their role in the system of checks and balances, in providing
a mechanism for the legal protection of the rights, freedoms and legitimate interests of
the individual in the difficult socio-economic and political conditions of the reform of
society is beyond doubt

Keywords: One of the main guarantees of ensuring the rule of law in the State is the
activity of the Prosecutor's Office, which is the only State body whose purpose is solely
to oversee the uniform implementation of laws throughout the country.

Introduction:

The proclamation of human rights and freedoms as the highest value does not
mean their effective implementation in practice, it requires an effective, really
functioning mechanism for their implementation, ensuring and protecting from the
standpoint of guarantees of individual rights. Recently, more attention has been paid
to this problem in the literature, as evidenced by recent dissertation research,
publications at the level of monographs, collections of scientific papers, journal and scientific articles. It is noteworthy, however, that for various reasons, a number of issues that are in the plane of statics and dynamics of the functioning of the prosecutor's office in the mechanism of separation of powers, ensuring guarantees of individual rights, become the subject of special research.

Findings and results

In the context of the formation of a legal state, the rule of law in public administration is of particular importance, because ensuring accurate and consistent enforcement of the law by officials and state bodies increases the authority of law, implements the mutual responsibility of the state and the individual.

Meanwhile, in the sphere of public administration, it is still not possible to achieve the implementation of the principles of the rule of law, in which violations are most often committed by the executive and administrative bodies in the center and in the field, opposition to the prosecutor's office in eliminating violations of the law, interference in their activities to establish and eliminate violations of the law. As a result, elements of instability are introduced into State and public life, and the rights, freedoms and legitimate interests of citizens are ignored and violated.

One of the main guarantees of ensuring the rule of law in the State is the activity of the Prosecutor's Office, which is the only State body whose purpose is solely to oversee the uniform implementation of laws throughout the country. The Prosecutor's Office is maximally adapted to the performance of this function, as a single centralized system.
The Constitution of the Republic of Uzbekistan declares that State power in the Republic of Uzbekistan is exercised on the basis of the division into legislative, executive and judicial branches (article 11). However, the Basic Law of the State left open the question of the place of the prosecutor's office in the system of state institutions of the Republic of Uzbekistan. Unfortunately, the current Law on the Prosecutor's Office does not fill this gap in full. A functioning conceptual model does not provide a complete and clear answer to both theoretical and many practical questions. This is quite understandable, because the current political life of Uzbekistan is a controversial and extremely complex sphere, where deep and rapid changes are observed: the rejection of old stereotypes and the search for new ones, the rethinking of historical experience and the criticism of classical authorities.

Using the conducted research, accumulated materials, as well as generalizations and analysis of the practical activities of the prosecutor's office and judicial practice, we tried in this study to consider the concept, position and historical development of the prosecutor's supervision bodies, aspects of their interaction with the legislative, executive, judicial bodies of state power, local self-government bodies, as well as to determine the place of the prosecutor's office in the structure of state institutions, and without claiming in any way to be the ultimate truth and full coverage of the issues under consideration, to express our ideas and views, arguing for them.

The degree of development of the problem. The multidimensional nature of the topic of the dissertation research suggested the need to address various branches of knowledge, in particular, works in the field of theory of state and law, philosophy, political science, and various branches of law.
The objectives of this work are to provide a general theoretical study of the place and role of the prosecutor's office in the mechanism of separation of powers, the functions of prosecutor's supervision; in the further development of prosecutor's supervision, the organization of law enforcement activities; development of theoretical provisions that characterize the essence and significance of the correct building of procedural and organizational relations of the prosecutor's office with the legislative, executive, judicial authorities, local self-government bodies, through their constructive interaction, and concretization in this aspect of the most effective, effective ways and means in the context of the rights and powers granted by law to the prosecutor's office; in making scientifically based proposals for improving the legislation regulating the legal status of the prosecutor's office, relations between the prosecutor's office and state authorities, as well as recommendations on the effectiveness of their activities in the state mechanism.

In this study, based on the study and analysis of many works by leading scientists, historical materials, the issues of the emergence and development of prosecutor's offices, their place in the system of separation of powers, as well as the main directions and forms of interaction with state bodies of legislative, executive and judicial power, the President of the Republic of Uzbekistan, local self-government bodies were considered. The opinions of scientists, politicians, and legal experts on the role and place of the Russian prosecutor's office in the system of state institutions of the Republic of Uzbekistan are analyzed with an emphasis on the current stage of development, with the determination of the vector for the future and with an assessment of the current legislation.

On the basis of the conducted research, proposals are formulated to improve the legal framework for the construction and operation of the prosecutor's office, to
consolidate these issues at the legislative level, as well as functional areas, supervisory powers of the prosecutor's office and the mechanism of interaction with state authorities.

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