

Is the Mechanism of Implementing the Activities of The Prosecutor's Office in The Republic of Uzbekistan?

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Abstract

This article analyzes the legal framework and mechanisms for the implementation of the activities of prosecutorial bodies in the Republic of Uzbekistan. At the same time, the subject of prosecutorial control and areas of control, as well as types of prosecutorial control documents, are highlighted. The scientific opinions of scientists on the importance of implementing control mechanisms by prosecutorial bodies in monitoring the legality, rule of law, and the clear and uniform implementation of legislative acts related to the rights and freedoms of citizens in the country are analyzed. The issue of prosecutorial participation in the judicial process is also discussed through the analysis of procedural legislative documents.

Keywords: Prosecutorial control, legality, prosecutorial inspection, control mechanism, subject of control, judicial process.

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1. Introduction

The main goal of the work carried out in the legal system of our developed country today is to ensure the rights and freedoms of citizens and to exercise legal control. The organization and activities of prosecutorial bodies, which are part of the modern legal system, are a complex issue. This is because, in Article 2 of the Law “On the Prosecutor’s Office”, the tasks of prosecutorial bodies are not only to investigate crimes and bring them to court, but also to ensure the rule of law, strengthen legality, protect the rights and freedoms of citizens, the interests of society and the state protected by law, the constitutional system of the Republic of Uzbekistan, and prevent and prevent violations[1].

One of the most important requirements of a democratic state based on the rule of law is the primacy of the law, obedience to it and respect for it. At the same time, in ensuring the compliance of regulatory legal acts with the constitution and laws, it is important that state bodies, public associations and communities, and officials operate in accordance with the constitution and laws. The Prosecutor's Office monitors the implementation of these rules and requirements, that is, the clear and uniform implementation of laws in our country. The activities of the prosecutor's office are aimed at ensuring the primacy of the law on the territory of the country, ensuring legality and its stability, and protecting the personal rights and freedoms, political, economic and social rights of citizens guaranteed by the constitution.

Prosecutorial control is a separate form of state activity carried out on behalf of the state and is the main function of the prosecutor's office. This function determines the specific status of the prosecutor's office as a state body, its socio-political significance. The state ensures the rule of law and the strength of legality in the country precisely through prosecutorial control[2].

2. Methods

The legal basis of the activities of prosecutorial bodies in the Republic of Uzbekistan and the mechanisms for implementing prosecutorial control are analyzed. Prosecutorial inspections and monitoring, as well as documents on prosecutorial control, are covered in this research work.

B.H. Pulatov (2009), O.M. Articles by scientists such as Madaliyev (2009), A.Y. Vishinsky (2025), Z.S. Ibragimov (2010), Sh. Jumayev (2025), D.B. Ahmedov (2025), S. Shukurullayev (2025), D.S. Dovudova (2024) were analyzed based on induction and deduction methods and used in the research work.

3. Results and Discussions

The mechanisms for implementing the activities of the prosecutor's office are of great importance in building a legal state and civil society. These mechanisms consist of a set of legal, organizational and institutional tools that ensure the effective implementation of the tasks and functions assigned to the prosecutor's office. First of all, the legal basis for the mechanisms for implementing the prosecutor's office is determined by the constitution, special laws and departmental regulatory legal acts. These legal bases clearly define the independence of the prosecutor's office, its role in ensuring the rule of law, and the powers to exercise control over the activities of state bodies.

At the same time, organizational and managerial factors also play an important role in the mechanisms for implementing the activities of the prosecutor's office. In particular, the centralized system of prosecutorial bodies, the principles of subordination and accountability, the selection and placement of personnel, internal control and service inspections are important mechanisms for effective functioning. Within the framework of practical mechanisms, prosecutorial control, procedural powers in criminal cases, support for state prosecution in courts, and the use of influence measures to identify and eliminate violations of the law play an important role. As a result, the mechanisms for implementing the activities

of prosecutorial bodies are manifested as a holistic and coherent system that serves to ensure legality and justice in society.

The mechanisms for implementing the activities of prosecutorial bodies consist of a system of legal and organizational tools aimed at ensuring the rule of law in the Republic of Uzbekistan.

The constitutional and legal basis of these mechanisms is established in the Constitution of the Republic of Uzbekistan[3] and the Law "On the Prosecutor's Office"[4]. In particular, although Article 143 of the Constitution does not specify it as a specific task, control over the clear and uniform implementation of laws is generally understood as the main task of the prosecutor's office. Since ensuring the rule of law and strengthening legality in this context is given as a separate task in the law, it can be understood that ensuring the rule of law as the most general and main task is consistent with control over the clear and uniform implementation of laws in the constitution. The mechanism for implementing the activities of the prosecutor's office, the subject of prosecutor's control and its powers are clearly defined in Articles 20, 21, 22 of the Law of the Republic of Uzbekistan No. 257-II dated August 29, 2001 on the Prosecutor's Office.

In particular, Article 20 of this law provides for the subject of prosecutorial control:

It is established that the subject of control shall be the implementation of laws by ministries, departments, citizens' self-government bodies, public associations, enterprises, institutions, organizations, as well as military units, military structures of ministries and departments, governors and other officials, as well as the compliance of documents adopted by them with the Constitution and laws of the Republic of Uzbekistan. Article 21 of this law reflects the legal mechanism for implementing prosecutorial control. In particular, it is established that the verification of the implementation of laws shall be carried out in accordance with the procedure established by law on the basis of applications and other information on violations of laws, as well as on the basis of the fact that legality requires measures to be taken by the prosecutor.

At the same time, Article 22 of the law. The powers of the prosecutor are mentioned. In the process of exercising control over the implementation of laws, the prosecutor, within the scope of his powers, shall:

– to enter the territories and premises of ministries, departments, enterprises, institutions, organizations, military units without hindrance, to view documents and materials, to conduct inspections, to demand for inspection resolutions, orders, orders and other documents, information on the state of legality and measures to ensure it;

– to demand from heads of military structures of state bodies, military units, ministries and departments and other officials to inspect, conduct audits of the activities of enterprises, institutions, organizations under their jurisdiction, and to allocate specialists to conduct departmental and non-departmental inspections;

– has the right to demand oral or written explanations from officials and citizens regarding violations of the law. In case of detection of violations of the law, the prosecutor is obliged to take measures provided for in this law and other legislative acts[5].

D.Y. Khabibullayev and others noted that “the purpose of the general control activities of the prosecutor's office is to organize the prosecutor's office's control over the clear and uniform implementation of laws by state bodies and organizations in the country.”

It is also stated that “the main tasks of the prosecutor's office are to ensure the rule of law, strengthen legality, protect the rights and freedoms of citizens, the interests of society and the state protected by law, the constitutional system of the Republic of Uzbekistan, and prevent and prevent violations”[6].

In our opinion, D.Y. Khabibullayev stated that the main goal of implementing the control mechanism of the prosecutor's office is to ensure the rule of law, strengthen legality, protect the rights and freedoms of citizens, the interests of society and the state protected by law, the constitutional system of the Republic of Uzbekistan, and prevent and prevent violations. However, it is not clearly indicated through what mechanisms these tasks will be implemented.

B.H. Pulatov, “The main tasks of the prosecutor's offices of the Republic of Uzbekistan are carried out through specific tasks within each area of prosecutorial control. The main tasks of the control area arise from the decisions of the highest authorities and management bodies of the state, which are reflected in the orders, decrees, instructions and instructions of the Prosecutor General of the Republic of Uzbekistan”[7].

O.M. Madaliyev believes that “the tasks of the prosecutor's offices should be to ensure the unity of the law, restore violated rights and freedoms and take measures to eliminate violations of the law, and these tasks, reflected in the law, should fully cover the activities of the prosecutor's offices in the areas and main areas of control, and the prosecutor's offices should monitor the legality of legal acts of management and control bodies in order to prevent discrimination against citizens' rights. This is the main task and duty of prosecutors”[8].

A.Y. Vishinsky assessed prosecutorial control as the main guarantee of a legal state and noted that its main task is to ensure the rule of law. In his opinion, prosecutorial control is an important mechanism for ensuring compliance with the law in the activities of state bodies and officials[9].

Sh. Jumayev emphasizes the following about the importance of prosecutorial inspection and monitoring of the implementation of laws, which is one of the forms of prosecutorial control in the legislation of the Republic of Uzbekistan, as well as its different aspects.

In particular, monitoring carried out by prosecutorial bodies is a form of control aimed at ensuring the rule of law through continuous and systematic study, assessment and observation by prosecutorial bodies of compliance with the law in the activities of state bodies, organizations and officials.

There are certain differences between prosecutorial inspection and monitoring of the implementation of laws. Inspection and monitoring are two different forms of control, which also differ in their purpose, methodology and application. Inspection has a more explanatory and analytical approach based on documents and evidence. Monitoring is based on numbers, indicators and assessment of the situation through observation. Also, inspection is the final stage of control, aimed at identifying errors or violations.

Monitoring is the observation and real-time assessment of this process. Similarly, another main difference between prosecutorial inspection and monitoring of the implementation of laws is that as a result of the inspection, certain legal measures of influence (disciplinary, administrative liability measures) are applied, while monitoring involves observation and analysis, in which direct measures of influence are not applied to the subjects. Monitoring includes an

information letter, analysis of identified cases, statistics, and a general conclusion to inform the organization or official about the situation.

Documents such as analytical reports and recommendations reflecting general proposals for eliminating shortcomings are used. During prosecutorial inspections of the implementation of laws, prosecutorial control documents (protest, decision, presentation, application and warning) specified in Article 37 of Section V of the Law “On the Prosecutor’s Office” are used.

We also consider prosecutorial control to be a broader concept than the concept of prosecutorial inspection of the implementation of laws. Therefore, prosecutorial control is also provided through other means than prosecutorial inspection (for example, monitoring, consideration of materials of supervisory bodies on violations of the law, conducting information and analytical activities, etc.)[10].

In our opinion, Sh. Jumayev analyzed in detail the different aspects of prosecutorial inspection and monitoring in the implementation of prosecutorial control. In general, we believe that today, effective prosecutorial control is provided through the use of prosecutorial control documents during prosecutorial inspections.

Z.S. Ibragimov noted that an important aspect of prosecutorial control is that it has a sectoral nature of legal regulation. In this case, the legal regime of prosecutorial control is determined more by its affiliation to the mechanism of state regulation than by the complex nature of regulation. Prosecutorial control fully expresses its characteristics as a legal institution of the state. Prosecutorial control should be viewed as a guarantee of ensuring the rule of law, the unity and strengthening of legality, the protection of human and civil rights and freedoms, as well as the interests of society and the state protected by law. The activities carried out by the prosecutor's office are to monitor the strict and unwavering observance of legal norms by participants in social relations related to ensuring legality, and their implementation [11].

One of our national scientists, B.H. Pulatov, expressed his views on the organization of prosecutorial control over the implementation of laws, stating that “the sphere of control over the implementation of laws in the Prosecutor General's Office of the Republic of

Uzbekistan, regional and equivalent prosecutors' offices is organized on the basis of the regional principle. This means that the Prosecutor General's Office of the Republic, regional and equivalent prosecutors simultaneously exercise organizational and methodological leadership over the implementation of laws by subordinate prosecutors and exercise control over the objects under their jurisdiction”[12].

D.B. Ahmedov noted that the new procedure and legal norms, along with giving prosecutors the authority to actively participate in administrative disputes, impose on them the responsible task of ensuring legality in the judicial process and reliably protecting the rights of citizens.

In particular, this mechanism ensures that the interests of citizens and the state protected by law are fully protected by the courts, and legality in the conduct of cases in courts is further strengthened. The prosecutor is authorized to participate in court hearings on cases arising from all administrative and public legal relations, through which the prosecutor has the opportunity to protect the rights and legally protected interests of citizens and legal entities, as well as society and the state[13].

At the same time, in accordance with paragraph 5 of the Law “On Amendments and Additions to the Civil Procedure Code of the Republic of Uzbekistan in connection with the improvement of the procedure for checking the legality, validity and fairness of court decisions”[14] dated December 25, 2023, Article 50 of the Civil Procedure Code was amended as follows: “The prosecutor may participate only in cases provided for by law or in cases initiated on the basis of a statement of claim (application) of the prosecutor. The prosecutor may not participate on his own initiative in the discussion of a case initiated by applications of other persons.

If a citizen is unable to personally defend his rights, freedoms and legitimate interests in court due to his health condition, age or other reasons, the prosecutor has the right to apply to the court with an application to protect the violated rights, freedoms and legitimate interests of the citizen.

S. Shukurullayev noted that in order to further increase the effectiveness of the Prosecutor's participation in civil proceedings and improve his legal status, all changes in the legislation and new mechanisms should be implemented. Such changes, in turn, will further increase

confidence in the judicial system of Uzbekistan and serve to ensure the protection of the interests of citizens, entrepreneurs, as well as the state[15].

In our opinion, we support the above-mentioned amendments to the Civil Procedure Code and the opinions of S. Shukurullayev. Because a clear definition of the legal status of the prosecutor in civil proceedings will ensure reliable protection not only of the rights of citizens, but also of the interests of the state.

Regarding the legal status of the prosecutor in criminal proceedings, D.S. Dovudova noted that the only and mandatory legal basis for ensuring the prosecutor's authority in the conduct of criminal cases in court is the Criminal Procedure Code of the Republic of Uzbekistan (hereinafter referred to as the CPC). The current CPC establishes the powers of the prosecutor and the mechanisms for their implementation at the stages of pre-investigation inspection, inquiry, preliminary investigation, trial, and execution of court decisions. Also, the organizational and practical aspects of the activities of the prosecutor's offices to ensure the prosecutor's authority in the conduct of criminal cases are regulated by the Order of the Prosecutor General of the Republic of Uzbekistan No. 126 dated November 27, 2015 "On further increasing the effectiveness of the prosecutor's participation in the consideration of cases in courts on criminal cases" (hereinafter referred to as the sectoral order of the Prosecutor General or sectoral order).

The sectoral order of the Prosecutor General covers the powers of the prosecutor in the consideration of cases in criminal courts, the main criteria for assessing the prosecutor's activities in the sector, the requirements for the opinion of the state prosecutor, the circumstances that should be paid attention to when considering cases of a certain category and evaluating court decisions, the resolution of appeals, the study of criminal cases on the basis of appeals, etc.[16]

In our opinion, we consider it controversial that the organizational and practical aspects of the activities of the prosecutor's powers in criminal proceedings are regulated by the order of the Prosecutor General. In our opinion, it is appropriate to establish the powers of the prosecutor in the Criminal Procedure Code in the procedural document regulating this procedural activity, that is, in the Criminal Procedure Code.

Article 49 of the Economic Procedural Code of the

Republic of Uzbekistan states that the Prosecutor may participate in cases initiated on the basis of his/her own claim (application), as well as in cases related to land legal relations, state property, violations of environmental protection legislation, levies from the state budget, recognition of ownership rights to an arbitrarily constructed building, determination of the fact of ownership and use as private property, and collection of customs duties in order to protect the interests of the state protected by law[17].

In general, we believe that if the legal status of the Prosecutor is clearly defined in the above procedural legislation, it will lead to ensuring the legality and fairness of court judgments, decisions, and rulings. Also, clearly defining the legal status of the prosecutor in these procedural documents ensures the prosecutor's effective participation in the judicial process.

4. Conclusion

Having analyzed the above legislative documents and the scientific and theoretical conclusions and proposals of scientists, we conclude the following from this research work.

The essence of the general principles of the mechanisms for implementing the activities of the prosecutor's office is given as a separate chapter of the Constitution of the Republic of Uzbekistan, namely, Chapter 23, Articles 143-146, which are directly devoted to the prosecutor's office. At the same time, the subject of prosecutorial control and areas of control, as well as prosecutorial control documents, are directly reflected in a special document regulating the activities of the prosecutor's office, namely the legislative document "On the Prosecutor's Office", which is of great importance in ensuring effective prosecutorial control today.

At the same time, we believe that there are a number of shortcomings in the implementation of prosecutorial control. In particular, it would be appropriate to strengthen the prosecutor's inspection and monitoring of the implementation of laws and the legal consequences of this activity by determining them in legislative documents. We also believe that it is possible to ensure a consistent control mechanism by introducing digital technologies into the monitoring system and reviewing the reports of administrative bodies and territorial councils of people's deputies on the shortcomings identified in this process.

We also believe that the part of procedural legislation

related to the rights and obligations of the prosecutor, that is, amendments to the legislation on the powers of the prosecutor in the judicial process, should be clearly defined in the legislative documents "On the Prosecutor's Office", which specifically regulate the activities of the prosecutor's office, in proportion to the changes in the legislation on the prosecutor's authority in the judicial process, which will prevent legal disputes.

References

1. Mamirova HRQ, Matmurotov AR ORGANIZATION OF PROSECUTOR'S OFFICE BODIES AND BASIC PRINCIPLES OF THEIR ACTIVITIES //Eastern Renaissance: Innovative, pedagogical, natural and social sciences. – 2025. – T. 5. – No. 4. – pp. 151-164.
2. Mardonov K. "The legal status of prosecutor's offices in the Constitution of the Republic of Uzbekistan" Electronic source: https://uza.uz/oz/posts/ozbekiston-respublikasi-konstitutsiyasiyada-prokuratura-organlaringin-qada-maqomi_432502
3. Constitution of the Republic of Uzbekistan (date of entry into force 01.05.2023.) <https://lex.uz/docs/-6445145>
4. Law of the Republic of Uzbekistan, dated 29.08.2001 No. 257-II "On the Prosecutor's Office" Electronic source: <https://lex.uz/docs/-106197?ONDATE>
5. Law of the Republic of Uzbekistan, dated 29.08.2001 No. 257-II Law of the Republic of Uzbekistan "On the Prosecutor's Office" Electronic source: <https://lex.uz/en/docs/-106197?ONDATE>
6. Law of the Republic of Uzbekistan dated August 29, 2001 "On the Prosecutor's Office" in the new edition Electronic source: Electronic source:<https://lex.uz/docs/-106197?ONDATE>
7. Pulatov B.H.; Prosecutor's supervision: Textbook / editors: T.A. Umarov, A.T. Allamuratov and others. -T.: "U'zbekiston", 2009. -P. 54
8. Madaliyev O.M. "Prosecutorial supervision", Textbook // General part. Tashkent State Law Institute, 2009. -P. 29-30.
9. Temirov, S. (2025). Issues of improving prosecutorial control over the legality of decisions on bringing to administrative responsibility applied by internal affairs bodies. Society and Innovation, 6 (9/S), 407–415. <https://doi.org/10.47689/2181-1415-vol6-iss9/S-pp407-415>
10. Jumayev. Sh. B. "Theoretical and practical aspects of improving prosecutorial control over the implementation of laws" Jurist Bulletin, issue 5, volume 7. <https://www.yuristjournal.uz/index.php/lawyer-herald/article/view/1145/703>
11. Z. S. Ibragimov The place and role of the prosecutor's office in the system of state power (comparative legal analysis) -2010. <http://diss.natlib.uz/ru-RU/ResearchWork/OnlineView/34213>
12. Pulatov B.H. Handbook of prosecutorial control over the execution of laws // Problems of strengthening legislation and the Center for advanced training of prosecutors and investigators of the General Prosecutor's Office of the Republic of Uzbekistan and the Tashkent State Law Institute. – T. 2006. -P. 122-123.
13. Akhmedov Dilshod Bakhramovich "Practical issues of ensuring the effective participation of prosecutors in administrative courts" Actual Problems of Humanities and Social Sciences Volume 5 | Issue 10 | 2025 ISSN Online: 2181-1342. Electronic source: <https://ilmiykutubxona.com/id/eprint/1480/1/67.pdf>.
14. Law of the Republic of Uzbekistan No. OPK-887 dated 25.12.2023 "On Amendments and Addenda to the Civil Procedural Code of the Republic of Uzbekistan in connection with the improvement of the procedure for checking the legality, validity and fairness of court decisions" Electronic source: <https://lex.uz/ru/docs/-6708694>
15. Shukurullayev.S. "The legal status of the prosecutor in civil proceedings and prospects for its development" DOI:<https://doi.org/10.47689/2181-1415-vol6-iss1/S-pp288-293> Electronic source: <https://inlibrary.uz/index.php/socinov/article/view/67274>
16. Dovudova D. S. Legal foundations and principles of the prosecutor's activities in the trial of criminal proceedings // Eurasian Journal of Law, Finance and Applied Sciences. 2024. T. 4, No. 9. P. 53–69. DOI: 10.5281/zenodo.13842441
17. Economic Procedural Code of the Republic of Uzbekistan. National database of legislative documents, 25.01.2018. No. 03/26/1117/0116 Electronic source: <https://lex.uz/ru/docs/-3523891>.