

Forensic-Investigation Activities

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The system of reliable protection of human rights and freedoms, the introduction of international standards and the best world practices at all stages of criminal proceedings determine important areas for further improvement of judicial and investigative activities.

An analysis of the current legislation shows that the mechanisms for ensuring the protection of individual rights and freedoms in criminal proceedings are not fully implemented and there are gaps in the clear definition of the powers of law enforcement agencies to investigate criminal cases.

In order to further improve the investigation of criminal cases and further improve the criminal procedure legislation, the Decree of the President of the Republic of Uzbekistan "On measures to further strengthen guarantees for the protection of the rights and freedoms of citizens in legal proceedings."

This regulatory document sets out the main directions for further improvement of judicial and investigative activities, ensuring unconditional observance of the rights and freedoms of the individual, improving the quality of procedural actions.

The decree defines the main directions for further improvement of judicial investigative activities:

ensuring unconditional observance of the rights and freedoms of the individual, improving the quality of procedural actions, collecting and securing evidence in criminal proceedings, revising the system of their assessment, taking into account the standards of proof widely used in international best practice;

to bring the activities of law enforcement agencies in solving crimes to a new level, to ensure the inevitability of responsibility for each crime committed and full compensation for damage to the individual, society and the state;

introduce effective mechanisms to prevent the commission of acts of torture and other cruel, inhuman or degrading treatment or punishment, as well as increase accountability for such actions;

widespread introduction of modern information and communication technologies in the process of criminal investigation, further strengthening of the material and technical base of the bodies of inquiry and preliminary investigation and capacity building;

increasing the efficiency of the crime prevention system, as well as timely identification and elimination of the causes and conditions for committing crimes, improving the legal culture of citizens and introducing a mechanism for instilling a spirit of law-abiding in them.

Reflected are the main issues that should be considered by the employees of the preliminary investigation, inquiry and preliminary investigation, the main procedures related to the pre-trial investigation or detention of a detainee and places of imprisonment, as well as the state of conviction. in the Resolution as follows.

Encouraging a person to commit an unlawful act by employees of the bodies of preliminary investigation, inquiry and preliminary investigation and accusing him of a crime committed as a result of such incitement.

In cases where there are grounds for involving a person as a suspect or accused in a criminal case (except for cases when an examination or examination is required), interrogate him as a witness, as well as in writing until the suspect or the accused is explained to him the procedural rights my, receiving oral evidence.

Call and interrogate law enforcement agencies in the absence of grounds for involving close relatives of the detained suspect or accused in the proceedings .

Summon or interrogate the defendant, victim, witness, civil plaintiff, civil defendant and other participants in the process to law enforcement agencies in the framework of a criminal case sent to the court for consideration by the staff of the inquiry and preliminary investigation.

In addition, the decree provides for a pre-trial investigation or medical examination of a detainee and convict serving a sentence in a pre-trial detention center, as well as temporary detention and testimony of a suspect, accused or defendant held in pre-trial detention centers. must be carried out by employees of medical institutions outside the jurisdiction of pre-trial detention centers or penitentiary institutions, subject to reimbursement by the applicant.

The rule that persons convicted of grave or especially grave crimes, whose conviction has not been completed or the conviction has not been canceled, does not apply to minors, disabled persons of the first and second groups, women, men over sixty years of age and persons who have committed a crime negligence.

According to the decree, minors, disabled persons of the first and second groups, as well as persons of retirement age are punished with imprisonment for a term of up to three years, as well as for negligence for a term of up to five years. It is not allowed to apply a preventive measure in the form of detention in cases of committing crimes punishable by imprisonment.

In the cases provided for by the Criminal Procedure Code of the Republic of Uzbekistan, the transfer of a criminal case from one body of inquiry or preliminary investigation to another may be carried out only by the Prosecutor General of the Republic of Uzbekistan and his deputies, prosecutors. The Republic of Karakalpakstan, regions, the city of Tashkent and prosecutors equated to them to develop a bill on the further improvement of the institution of investigative criminal case.

Based on the above, it can be concluded that this regulatory legal act, along with further strengthening the guarantees of reliable protection of human rights and freedoms, respect for his honor and dignity, determines the key areas for further improvement of judicial activity.

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